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HISTORY OF SCOTLAND

THE

HISTORY OF SCOTLAND

FROM AGRICOLA'S INVASION TO THE REVOLUTION OF 1688

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BY

JOHN HILL BURTON

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THE confederates having disposed of their troublesome and dangerous mistress somewhat to their satisfaction, the more active spirits among them set to the task of organising a working government. There had been a great revolution in the state of Scotland. Those who have noticed in history the influence on the popular mind of such convulsive changes cannot look into the conditions attending Queen Mary's abdication without feeling them to be exceptional in

the remarkable calmness of the people, and the precision of action in those who took the lead. All the arrangements were well adapted to baffle any bold ambitious man who might attempt to break in on the plans of the leaders and establish a separate interest. The abdication of the queen was carefully worded, so as to be nothing unless it transferred the crown to her son. It was not called an abdication, but a transfer, merely bearing that "we have demitted and renounced the office of government of this our realm and lieges thereof, in favours of our only most dear son, native prince of this our realm." The infant, fourteen months old, could neither reject nor modify this adjustment, nor could others do so in his name. The "letter of demission," as it was termed, makes provision for a regency during the minority of the king. The regent is to be "our dearest brother, James Earl of Murray." As he is furth of the kingdom, however, a provisional regency is established to act in his absence. It is to consist of Hamilton and his heir, Lennox, and several other magnates. This nomination is followed by a provision of more importance. In case Murray, on his return to Scotland, "refuse to accept the said office of regentrie upon his singular person," then he is to be one of a collective regency, consisting otherwise of the temporary regents. This document, and the character of the transactions connected with it, give the impression that Murray had done nothing to entitle his friends to count on his acceptance of the chief power.

When those concerned in the new arrangements estimated the difficulties in their way, they thought the most formidable of these likely to arise in the

claims of the house of Hamilton. That family could not forget that now only an infant stood between them and the throne. The selection of Murray as the chief ruler of the country was ominous to them. The distance between legitimacy and illegitimacy had widened since the days when the legitimacy of Robert III. was questioned and left unsettled; but statesmanship had not, like the civil law, established that a bastard was counted the child of no father.

In most of the Courts of Europe the illegitimate family took rank immediately after the legitimate, and at almost every great Court there was a prince called the Bastard. Not long time had elapsed since one of this class nearly made himself King of Spain. More astounding things than the seizure of royal power had been accomplished by clever, courageous, and unscrupulous men with Murray's opportunities; and Murray was both clever and courageous, whatever may be said about his scrupulosity. His very call to the regency was an admission of hereditary claim: it would not have been given had he been a private peer unallied to the royal house. Had either of the Hamiltons, the father or the son, been a man of Murray's capacity, he would have taken the regency, if not something more; but the only member of the house capable of strong action was the archbishop, and late events had made his influence far less than it was when he sneered at his brother for letting an infant live between him and the throne.

It was observed that there was an assemblage of relations and retainers of the house at Hamilton Palace. Sir Robert Melville, who was sent to them as a sort of ambassador, was courteously received,

and returned with the assurance that they had no intention to interfere with the dominant party. They made themselves conspicuous by their absence from the coming ceremony; but they took no ostensible action farther than to tender a protest that nothing done towards the reconstruction of a government should stand to the prejudice of their hereditary claims. For some weeks there had been in existence a band or bond for the release of the queen and the re-establishment of her government. The Hamiltons were understood to be the promoters of this project, and afterwards they became conspicuous as the leaders of "the queen's party." As we shall afterwards find, however, the Hamilton branch of this party lay under the accusation of secretly working for her death.

Mary's abdication or demission was signed, as we have seen, on the 24th of July. Next day a body of the party in power bound themselves to common action and support by "a band." On the 28th they assembled at Stirling, where the infant prince was guarded. Next day he was solemnly crowned as king. Whether as a ceremonial, or because there was real danger of a forcible interruption to the business of the day, the garrison of the castle was on the alert, and the artillery ready for use.

The ceremony was enacted in the beautiful parish church perched on the castle rock and close to the outworks. Though the Reformation had utterly changed the sovereign's obligations in matters ecclesiastical, yet the infant was not to be invested with monarchical power without the proper obligation for its due performance. An oath was framed for the occasion. It was taken by the Earl of Morton, as

sponsor for the infant, "inclining his body and laying his hand on the book of God." This oath is a remarkable document, and deserves to be set forth at length. It is as follows :—

"I, James, Prince and Stewart of Scotland, promise faithfully, in the presence of the Eternal, my God, that I, enduring the whole course of my life, shall serve the same Eternal, my God, to the uttermost of my power, according as He required in His most Holy Word, revealed and contained in the New and Old Testaments; and, according to the same Word, shall maintain the true religion of Jesus Christ, the preaching of His Holy Word, and due and right ministration of His sacraments, now received and practised within this realm, and shall abolish and gainstand all false religion contrary to the same, and shall rule the people committed to my charge according to the will and command of God revealed in his foresaid Word, and according to the lovable laws and constitutions received in this realm, no ways repugnant to the said Word of the Eternal, my God, and shall procure to my uttermost, to the Kirk of God and whole Christian people, true and perfect peace in all times coming. The rights and rents, with all just privileges, of the crown of Scotland, I shall preserve and keep inviolate, neither shall I transfer nor alienate the same. I shall forbid and repress, in all estates and all degrees, reiff, oppression, and all kind of wrong. In all judgments I shall command and procure that justice and equity be kept to all creatures, without exception, as He be merciful to me and you—that is, the Lord and Father of all mercies; and out of all my lands and empire I shall be careful to root out all heretics and enemies to

the true worship of God that shall be convicted by the true Kirk of God of the foresaid crimes. And these things above written I faithfully affirm by my solemn oath."[1]

Thereafter the infant's head was placed inside the crown which Bruce had worn, and his right hand was made to touch the sword and sceptre, in so far that it could be recorded how the representatives of the Estates "deliverit in his hands the sword and sceptre, and put the crown royal upon his head, with all due reverence, ceremonies, and circumstances requisite and accustomed, and gave their ayths for due and lawful homage and obedience to be made by them to him in all times coming, as becomes subjects to their native king and prince." It is said that there was some difficulty on the question of the anointing, as a superstitious ceremony, Jewish in its origin and Popish in its later practice. We have seen how this rite was conceded to Scotland by the Papal Court as a privilege, raising the rank of the kingdom among the Christian monarchies.[2] Such an origin did not commend the institution to the predominant Protestants. It was not prudent, however, on such an occasion, to omit any solemnity that might tend to give effectiveness to the coronation. The ceremony of anointing was performed by Adam Bothwell, Bishop of Orkney, the same who had married the queen to her last husband. John Knox, who among contemporary chroniclers is spoken of as objecting to the anointing, was a prominent party to the coronation. The assemblage was not properly a parliament or meeting of the Estates. Yet there were present members of all the secular

[1] Anderson's Collection, ii. 247, 248.

[2] Chap. xxv.

elements of the Parliament—the nobles, the barons, and the burgesses; and the names of the persons who represented these orders are recorded. The representation of the ecclesiastical order is curiously equivocal. The only purely spiritual title in the minute is that of the Bishop of Orkney. There are several "Commendators" of great religious houses; but these were only the persons who had got hold of their temporalities. At the conclusion of the record of the proceedings is announced, as an important party to them, one who is not named as among those present—John Knox. By an ancient practice of the Papal notariat, the persons interested in the proceedings of collective bodies might require them to be officially certified or recorded by responsible recorders; and this right came to be called the asking of "acts," or of "instruments," or of "documents." We shall find this practice rife when we come to the days of the Covenant. So in the record of the coronation of the infant we find that "the said Sir John Bellenden, justice-clerk, in name of the said Estates, and also John Knox, minister, and Robert Campbell of Kinzean Cleuch, asked acts, instruments, and documents." There seems to have been thus far on the record an acknowledgment of the influence of the leader as representing the new Church, though he was not a member of the Estates, and had no legitimate place among the constituted powers. He preached a sermon on the occasion in the church of Stirling.

The ceremony having been completed, the honours of the realm, as the crown, the sceptre, and the other symbols of royalty were called, were each separately conveyed back to the castle by one of the great nobles

in attendance. It fell to the lot of Mar to bear in his arms the infant king, as entire a mute emblem of the power of those who handled him as the inanimate symbols carried by the others.

Before dispersing, the assemblage uttered a proclamation, requiring it to be read at the market-cross of every burgh, in order that all men might know under whose authority they now lived. It bore as preamble how "it has pleased Almighty God to call the king's majesty, our sovereign lord, unto the royal crown and government of this realm by demission of the queen his mother;" and then states how "his highness is crowned, inaugurate, and established in this kingdom in the presence of the nobility and Estates convened for execution and accomplishment of the queen's will and commission foresaid."[1]

There still remained the momentous question, Would Murray accept of that regency offered to him in form by his sister, and in reality by the predominant party in the Estates? It was ever his policy to keep at a distance when he saw the storm gathering. Some attribute this to timidity or caution, and even maintain that he kept away from the political explosion after laying and lighting the train. Others have it that, knowing how impossible it was to influence his countrymen to good and orderly ends when their blood was up, he kept away from scenes of tumult and bloodshed, which vexed his righteous soul, and taught him to despise his brethren of the Scottish aristocracy as a band of ferocious barbarians.[2] However it was,

[1] The Privy Council record of the proceedings will be found printed in Anderson's Collection, ii. 242 *et seq.*

[2] On the 12th of August we find Throckmorton telling Cecil: "To speak

he had now been four months absent, and was abiding in France until he was sent for. When informed of the offer made to him, he made no sign, but gravely and in a leisurely fashion turned his steps homewards. Whether on good ground or not, he was afraid of detention in France, if not of worse, and escaped secretly. He passed through England, whether as the safest route, or that he might gather on the way instruction for his guidance. He was well received at Court and elsewhere. Whatever he may have learned from others, however, it is clear that he kept his own counsel. Had he in any way committed himself, the fact must have come forth in the acrimonious disputes of the time. He passed through Berwick, and as he entered Scotland he was welcomed by a procession of four hundred mounted gentlemen. He arrived at Edinburgh on the 11th of August, and was there received with high applause. Still he kept silence until he had an interview with his sister.

On the 15th he appeared at Lochleven, accompanied by Morton and Athole. Their reception was like many others in which Queen Mary figures—at one time storm and tears, at another all sunshine. She had long conversations with Murray alone. As to what passed at these meetings of brother and sister, amid conditions so strange and tragic, there has been much ardent curiosity but imperfectly satisfied, and a consequent world of conjecture. From her we have nothing; but what Murray chose to say of the meet-

more plainly to you than I will to others, methinketh the Earl of Murray will run the course that those men do, and be partaker of their fortune. I hear no man speak more bitterly against the tragedy and the players therein than he, so little liking he hath to horrible sins."—Wright's Queen Elizabeth, ii. 264.

ing was carefully treasured up by the English resident Throckmorton, and repeated to his mistress Elizabeth. This precise observer tells that on the 19th of August he desired to have a conversation with Murray and Lethington "quietly." Murray was unwell or indisposed for prompt conversation, but sent to say that he would call on Throckmorton next day. He had made up his mind for a revelation, and bluntly said, "My lord ambassador, whether will you that I should make declaration to you of my doings at Lochleven, or have you anything to say to me?" The other "required him to declare his proceedings with the queen his sister, and how they had agreed." Murray's story can only be rendered in his own words as his companion reported them:—

"At the Earls of Murray, Athole, and Morton's arrival at Lochleven, they went immediately to the queen, who had conference with them all together; notwithstanding the queen broke forth with great passion and weeping, retiring the Earl of Murray apart, who had with her long talk in the hearing of no person. That talk, as I do learn (which continued two hours until supper-time), was nothing pleasant to the queen, and chiefly for that the Earl of Murray talked nothing so frankly with her as she desired, but used covert speech, and such as she judged he would not discover neither the good nor the ill he had conceived of her, nor meant unto her. After supper she desired to talk with the Earl of Murray again; and everybody being retired, they conferred together until one of the clock after midnight: in which second communication the said earl did plainly, without disguising, discover unto the queen all his opinion of her mis-

government, and laid before her all such disorders as either might touch her conscience, her honour, or surety.

"I do hear that he behaved himself rather like a ghostly father unto her than like a counsellor. Sometimes the queen wept bitterly, sometimes she acknowledged her unadvisedness and misgovernment; some things she did confess plainly, some things she did excuse, some things she did extenuate. In conclusion, the Earl of Murray left her that night in hope of nothing but of God's mercy, willing her to seek *that* as her chiefest refuge. And so they parted.

"The next morning betime she desired to speak with her brother; he repaired unto her. They began where they left over night, and after those his reprehensions, he used some words of consolation unto her, tending to this end, that he would assure her of her life, and, as much as lay in him, the preservation of her honour. As for her liberty, it lay not in his power; neither was it good for her to seek it, nor presently for her to have it, for many respects.

"Whereupon she took him in her arms and kissed him, and showed herself very well satisfied, requiring him in any ways not to refuse the regency of the realm, but to accept it at her desire. 'For by this means,' said she, 'my son shall be preserved, my realm well governed, and I in safety, and in towardness to enjoy more safety and liberty that way than I can any other.' Whereupon the earl declared many reasons why he should refuse it. The queen again replied with earnest intercession, and prayed him to prefer her reasons and requests before his own, which were particular. At length he accorded unto her the acceptation of the regency.

"Then the queen required him to leave no means undone to bring all the forts of the realm into his own disposing, and likewise to take her jewels, and things of value which were hers, into his custody, offering unto the said earl her writings, the use of her name and authority, to bring all these things to pass. He showed himself very unwilling to have the custody of her jewels. Then the Earl of Murray requiring the Lords Lindsay, Ruthven, and Lochleven to treat the queen with gentleness, with liberty, and all other good usage, he took his leave of her; and then began a new fit of weeping, which being appeased, she embraced him very lovingly, kissed him, and sent her blessing unto the prince her son by him."

On being questioned and pressed, Murray made some further admissions. These are more significant by the doubts they leave than the revelations they convey. The Englishman was desirous to know if anything was said about the personal safety or danger of the captive, and if so, to know what tone Murray had taken. The result was that "he treated with her of that matter with this caution, that for his own part, according to his many obligations, he had a desire to spend his own life to save her life, and would employ all that was in him for that purpose; but it was not in his power *only*, the lords and others having interest in the matter." He then warned her of the classes of actions that might bring her into peril, such as practices to disturb the quiet of the realm and the reign of her son; projects to escape; exciting the people to be troublesome; courting foreign aid from England or France; and lastly, persisting in her "immoderate affection with the Earl Bothwell." With

a like precise analysis he showed the prudent course wherein her safety lay.

Many people, of course, will decline to take Murray's word for his own conduct on the occasion; but it is noticeable that Throckmorton seems to have felt content with the statement as sufficient. When the guests left Lochleven their captive had brought herself to her merry and genial deportment.[1]

On the 22d of August Murray was solemnly inaugurated as regent in the Tolbooth of Edinburgh, with a repetition of the various documents already before us, cumbering the march of events with heavy formalities. As recorded by the Council, all occurred in the presence of "the Lords of the Secret Council, nobility, spirituality, commissioners of burghs, and barons."[2]

Among the regent's earliest acts one showed that he would rule with a firm hand. This was the removal of the command of Edinburgh Castle from Balfour. In his eventful tenure of that post he had been faithless to his master, Bothwell, and had done something to help the new ascen-

[1] Keith, ii. 736-38. If it be asked whether there is any account of this interview on Queen Mary's side which may be compared with Murray's, it may be answered that, literally speaking, there is an account on her side, but it is so brief as to afford no data for a comparison. It is simply said on her part that he went to ask her permission to accept of the regency, and when she pointed out that it was his duty to decline the offer, he said he had already committed himself: "S'appercevant que sa majesté tendoit à luy persuader de ne recevoir la régence, et q'elle avoit encore quelque fiance en luy, estimant qu'il se monstreroit envers elle tel q'il devoit pour avoir cest honneur d'estre estinié luy appartenir comme frère bastard, il meit bas le masque, réplicquant que desjà il avoit accepté la charge, et qu'il n'estoit plus temps de s'en excuser." — Memoir addressed in the name of Queen Mary to all Christian princes; Teulet, ii. 246.

[2] Anderson, ii. 252.

dancy; but Murray did not deem him a man to be safely trusted with power. There was a hold over him in the part he had been known to take in the murder of Darnley. He stipulated for certain conditions. Foremost among these was an amnesty from trouble about that affair. He was still strong enough, too, to hold the Priory of Pittenweem, and other goodly morsels of ecclesiastical property which had fallen to his share in the general scramble. One of his conditions not to be easily accounted for was followed by disasters to him who appeared to gain by it—he bargained that he was to be succeeded in his command by Kirkcaldy of Grange.

On the 15th of December a Parliament assembled under the regent's summons. Its chief work was to strengthen things already done. It ratified the various steps of the great revolution which had just passed over the land. It will be remembered that the group of Acts passed in 1560, for abolishing Popery and establishing a Protestant Church, had been passed at a convention of the Estates not assembled by royal authority. It will be remembered, also, how dexterously Queen Mary evaded all attempts to get her to ratify or acknowledge these Acts, and how she left it an open question, whether, on the one hand, they did not require the royal assent, or were, on the other, mere waste paper, as being without it. Though it was a prevalent doctrine held by Buchanan and many others, that Acts of the Estates were valid without the royal assent, and that the ceremony of touching with the sceptre was a mere act of courtesy, showing a harmony of action between the Crown and the Estates, yet an opportunity was taken for ratifying the Acts in this

Parliament. Some other business was transacted in reference to the Church, to be noticed farther on in connection with ecclesiastical affairs. Before the Estates separated, Huntly, Argyle, and Herries protested for an amnesty for all political acts done by them since the 10th of June. The amnesty was granted, and made general to all who would agree to conform with the new organisation.

Let us now go back and note how the neighbouring powers chiefly concerned with Scotland looked on this revolution as it passed before them. We have seen that an ambassador from France, M. Villeroy, commissioned to the queen alone, was not permitted to see her. He returned home a few days after the refusal. Next came from France M. Lignerolles with a wider mission. He was apparently an easy courteous man, disturbed in equanimity by the violent self-willed men among whom he found himself, but anxious to see peace kept and dignities respected. His mission was one of sadness rather than of wrath. Doings were going on before him utterly beyond the scheme of his philosophy as the servant of a despotic Court, but he could do nothing save persuade and soothe. If his Court had sometimes assumed towards Scotland a mixed tone of patronage and dictation, this arose from a natural yielding to the tenor of events, which seemed to be bringing the distant barbarous country under the banner of France to become a useful dependency. When the French found Scotland angry and suspicious, they ceased to trouble themselves in pressing any projects that were found disagreeable there. The French suggestions seem to have been met with a courteous equanimity, an echo, perhaps, of

the tone in which they were made. This matter was reported by Throckmorton to his mistress in a letter dated two days before Murray's inauguration as regent. What he tells about the answer given to the ambassador is told briefly, yet so distinctly that nothing of moment seems to be omitted. We thus find in it at once all that was asked by the French ambassador, and the answer made to each request, thus :—

"That the said lords did again render their humble thanks to the king, and queen his mother, for this demonstration of their favour, which the said king and queen had showed by sending him hither, and to treat with them so amicably. And where they had, by his long discourse at his first audience, comprehended the sum of his whole negotiation into four points, they were now to answer to every of them as had been resolved among all the lords and others of the king's Council.

"To the *first*, which tended to the union of all the nobility of this realm, they thanked the king humbly for his care in that matter; but there was no such dissension amongst them, thanks be to God, that they needed any reunion.

"To the *second*, for the care the king had to their surety, which he willed them to provide for, and therein offered them his assistance, they did humbly thank the king also for his gracious disposition towards them; but, God be thanked, they took themselves to be in as great surety as any men were or could be within this realm.

"To the *third*, concerning the queen's liberty, and his access to her, they had made an assertion amongst themselves, that no prince's ambassador nor stranger

should speak with her until the Earl of Bothwell were apprehended, which they hoped should not be long to, for they had given order for his apprehension; and that which served for answer to refuse him access unto the queen must also serve for answer concerning her enlargement.

"To the *fourth* and *last*, concerning his access to the Hamiltons, and conference with them, they could not allow nor permit any prince's ambassador or minister to repair unto them or to treat with them. Well contented they were that Mons. de Lynerol should send unto them any gentleman he had, or write unto them, or otherwise to confer with them at his pleasure, if the said Hamiltons would repair to this town; otherwise they could not accord any other mean of negotiation for any prince's ambassador with any subject of this realm, lest thereby they should derogate from themselves the authority which was given them by the queen their sovereign, in name of the king her son, for the government of this realm, and so give occasion thereby, as well to strangers as to the subjects of the realm, to think that there were as well two sundry States as two sundry authorities."[1]

The English ambassador, who is presently to appear on the stage, had misgivings about French intervention being more acceptable than English. There had been some boastful outbreaks at the Court of France, the king himself, "on the word of a prince," avowing that he would fight his sister's battle, and punish Queen Elizabeth for connivance with the rebels. But Queen Mary had in Catherine of Medici a potent enemy at that Court—an enemy who had no scruples about

[1] Keith, ii. 734, 735.

the divinity of royalty, or any other divinity, when she saw the means of injuring the woman she hated.[1] The political conditions in France, too, made difficulties. It could only be a Popish army that could aid the queen against her Protestant armies; yet had the Government of France required to trim so far as to send a Huguenot as their ambassador to Scotland, that he might be in some measure acceptable to the party in power. In fact it was likely that if a Popish army crossed over to Scotland, a Huguenot army would follow, and fight in Scotland the great quarrel that was desolating France.[2]

From the general tenor of what he saw and heard, the English ambassador seems to have satisfied himself that, as matters stood, France would do nothing for Queen Mary; and his explanation is of all the more historic value that it was given to disabuse his mistress and her immediate advisers, who looked with alarm to the prospect of Mary being rescued and enthroned by a French army, with the consequent restoration of Popery and French influence in Scotland. He wrote to his queen, that however she "had been persuaded of the French or of their doings," he found that Murray and his friends seemed much at their ease, counting Lignerolles's embassy to be "rather for the manner's sake" than from any serious intention to strike a blow for the captive queen. Then follows a very significant explanation, "which is the better confirmed to me by Lignerolles's own words, which he had of me the same day of his entry to this town, I taking

[1] See a letter by Sir Henry Norris to Queen Elizabeth; Wright, i. 260.

[2] Ibid., 264.

occasion to talk to him by the way, who said his commission at this time tended to this end, to lay before the lords that the king his master was bound by three respects to do for this queen: The one because she was a queen, a princess, sovereign as he was; betwixt whom there was some similitude of affections more than could be betwixt common persons. The second was for that she was his brother's wife, and had honoured France, his realm, with her education. The third was for the many alliances betwixt the house of France and the house of Scotland, and for the ancient league and amity which had continued betwixt those realms these many years. He said, also, the king, in being mindful of the queen's release, did not forget the state of the nobility and the whole realm." Then follows regret that there is division among them, and the hope that the ambassador may unite them, as if that were so easily accomplished, and that all will end well for their sovereign and for them. But then they are not the King of France's subjects, so that he cannot constrain them if they refuse to take counsel from him. He has nothing in his power but "persuasions and entreaties, and if that would not serve, the king could do no more but be sorry for the queen his sister's misfortune, seeing he had no means to command them nor restrain them."[1] Throckmorton concludes with a note of a small peculiarity in the French ambassador's deportment, which suggests that he connected it with the influence of Mary's enemy, Catherine of Medici: "Always when he spake of the king his master's name, he joined therewith the queen his mother's."[2]

[1] Stevenson's Selections, 270.

[2] Ibid.

Nearer home the revolutionists had to deal with a spirit of a different order. Queen Elizabeth, when she saw what the end was to be, was roused into one of those fits of fury which made those about her say it was easily to be seen whose daughter she was. All had gone utterly against her calculations. The sacredness of the sovereign was to her the most imperious of human creeds. She had counted on it as absolute when she coquetted with her sister's subjects; they might go so far, but there was no risk of their going farther. The leaders in Scotland had now committed the most awful crime that it lay within the compass of human wickedness to commit. Blasphemy against the Almighty was merely a rash use of words, doing nothing which penitence might not recall; but here was blasphemy put in practical and irretrievable shape against the representative of the Almighty upon earth.

The consummation was perhaps the more irritating that she might in some measure reproach herself for helping it on. She had not honestly done her best to keep her wayward sister in the straight path, rather she had felt some comforting or even exulting feelings in the errors into which that sister lapsed, conscious that she had the power of correcting all, and coming forth as the magnanimous patroness and rectifier. It was not her intention to nourish presumptuous aspirations in subjects, she was only making out a case for her own beneficent intervention; for in a question between a sovereign and her subjects, only a sovereign could judge; and she was precisely in the position to be judge of all questions arising in Scotland. She had, in fact, arranged all to her own

satisfaction. Queen Mary had doubtless misbehaved; but the subjects who found her at fault should have gone to her — Queen Elizabeth — to seek redress, instead of lifting their voices and hands against the Lord's anointed. She was, perhaps, all the more provoked that the revolution was not the result of a fierce contest in which men might forget what they were about, and that it was not completed in ignorance of her instructions to her ambassador not to permit anything to be done in Scotland which subjects ought not to do to a prince. Throckmorton had arrived in Edinburgh before the middle of July. He carried instructions so clear, full, and complete, that had he been able to make any use of them, he would have established the government of Scotland precisely in the shape desired by his mistress and her advisers, meting out Queen Elizabeth's justice and mercy to all parties from her sister queen downwards. One little item in the interpretation of these instructions shows how absolutely exempt sovereigns were in the eye of Elizabeth from the obligations lying heaviest of all on subjects. Protestantism was to be the rule for all except the queen and her attendants: "That the cause of religion be established, excepting none but the queen's person and some competent number for her attendance."[1]

An exhortation sent along with the instructions gives us a clearer revelation of Queen Elizabeth's mind than the formal documents themselves. The conduct of her sister had vexed and angered her, and she had resolved to abstain in the mean time from offering the consolation and succour that would have

[1] Keith, ii. 675.

been freely offered to a blameless and unfortunate sister sovereign. But now all is changed:—

"Behold suddenly the raising an intestine trouble, in manner of war, betwixt her and her nobility and subjects, wherein finding her to have a light into such hard terms, that she is restrained by her nobility and subjects, as we hear, from her liberty; our stomach so provoked, we have changed our former intention of silence and forbearing to deal in her causes, *first*, to an inward commiseration of her, our sister, for this last calamity; and *next*, to a determination to aid and relieve her by all possible means for the recovering of her to her liberty, and not to suffer her, being by God's ordinance the prince and sovereign, to be in subjection to them that by nature and law are subjected to her. For which very purpose you shall say, We have sent you at this time to understand truly her estate, and the whole manner how the same has happened; and to confer with her what may be thought meet for us, as her sister and next neighbour, to do for her, be it by counsel, force, or otherwise; and therefore you shall require her to impart to you that which indeed she can require of us in honour to be done for her, to bring her to liberty, and her realm to concord and inward peace; and so doing you shall assure her we will do as much for her (the circumstances of her case considered) as she were our very natural sister or only daughter. And at the hearing of her declaration you shall require her to bear with you, if according to our direction you do declare also unto her wherewith her nobility and subjects charge her; and so you shall orderly make full declaration thereof, adding therewith that your mean-

ing is not to increase her calamities, but to the end, upon the truth known, her subjects may be duly reprehended and corrected for things unduly laid to her charge: and in other things wherein her fault and oversight cannot be avoided, or well covered, the dealing therein and order thereof may be with wisdom and policy so used and tempered, as her honour may be stayed from utter ruin, and her State recovered with some better accord to follow betwixt her and her subjects. And after she shall have fully declared to you her answer, or request, or her other defences, if she shall require our aid by force to recover her liberty and be revenged, you shall say, That you have commission directly to charge and reprove her subjects with this their restraining of her their sovereign lady, and to procure her liberty; or otherwise to assure them plainly, That she shall not lack our aid to compel them thereto; whereunto if they shall not yield, you may tell her you will speedily advertise us, who, you doubt not, will perform our promise."[1]

Throckmorton entered on his duties with a heavy heart. As we have seen, he had fears about French intervention. He soon found, however, that there was little to be apprehended from any foreign quarter. Danger lay in the temper of the Scots themselves. The great lords and councillors spoke "reverently and mildly" of their queen. In fact the acts so offensive to Queen Elizabeth tended to the salvation of their poor mistress, for the populace "did mind vehemently the destruction of her." Instead of admitting the doctrine of divine right to do wrong, they put in the

[1] Keith, ii. 668, 669.

plainest possible shape the converse proposition; and Throckmorton had the disagreeable but necessary task of informing his mistress that "it is a public speech amongst all the people, and amongst all the Estates, saving the councillors, that their queen hath no more liberty or privilege to commit murder nor adultery than any other private person, either by God's law or the laws of the realm."[1] The ambassador had a clear eye for the difficulties before him. In his way through the northern counties of England we find him anticipating that, as the French ambassador was not allowed an interview with Mary, so neither would the English. He was, as we have seen, right in this anticipation; and this, with many other incidents of his correspondence, shows that he knew well what he had to deal with, and might have been a useful counsellor and friend to the Scots, had he not been fettered by imperious instructions. His letters show that he was nervously anxious for the solution of the question, whether he was right in expecting that he would be allowed no audience. When he found that he had anticipated only too sagaciously, he found also the seriousness of the calamity. He had come with credentials as ambassador to a queen, but there was no queen to hand them to. He had his instructions about exacting obedience from the rebels, but he was in a very unhappy position for using them. The intention was that he should go to them from their own queen, with the promises of the sister queen to back her in her demands against her truculent subjects; the reality was that he had to go to these men and lay before them a menace from a

[1] Wright, ii. 258.

foreign power. He was not absolutely to disobey his instructions, and remain in Scotland without letting any one know what he had come to demand; but as his demands were not indorsed by the sovereign they were to serve, he could not give them the desirable emphasis and power. He felt his dilemma keenly, and the men he had to deal with saw it, and used it to their purposes.

He succeeded in getting a pretty full explanation of the views of some of the confederates; but it was made full just because it was not a State document announcing the policy of a government or even committing a party. It began by saying, "We cannot conveniently at this time give you a resolute answer to the first part of your message declared to us in the queen's majesty your sovereign's behalf, being here but a small part of that number for the present assembled to whom you are directed, the others being before your coming dispersed in several corners of the realm upon good occasions tending to the maintenance of the just quarrel, and for suppressing dangerous enterprises in the overthrow thereof." Though not entitled to speak for their coadjutors, yet seeing, as they say, that the Queen of England "finds strange our conduct towards the queen's majesty our sovereign, and her highness's imprisonment, whereupon you have made us a great and large remonstrance, putting us in mind of the duties of subjects towards their natural princes,—we will, for your better satisfaction herein, declare some parts of our intents and proceedings, which we will desire you to impart to the queen your mistress, not doubting but when her highness shall have understood the same she shall not so far dis-

allow of our doings in that behalf."[1] This preamble is followed up by a note of the principal events from the death of the king downwards. The tenor of the narrative is towards supplying information to one not fully acquainted with all the events rendering it necessary for those who told the story to act. There is in it nothing apologetic, unless, perhaps, it may be in the rather remarkable terms used in the avowal following: "We pray her highness to conceive of us that we take no pleasure to deal with our sovereign after this sort as we are presently enforced to do, being the person in the world whom, according to our bounden duty, we have in our hearts most revered and honoured, whose grandeur we have most earnestly wished, and with the hazard of our lives would have endeavoured ourselves to have procured it. We never went about in any ways to restrain her liberty, nor never entered in deliberation at the beginning of this cause of anything might touch her person. The grounds of our intents are too well known to the world, and better a great deal than we wish they were; forasmuch as they impart the ignominy of this whole nation, and touch in honour the queen herself, as us all."[2]

Having thus got an explanation, uttered with a sort of haughty frankness as between friends—an explanation which avowedly committed no party as rulers or political actors—the ambassador could get nothing more. He kept grumbling to one and another that he got no satisfactory answer to the demands of his mistress. But that mistress herself helped the Scots to a facility of evasion which nothing could overcome.

[1] Keith, ii. 678. [2] Ibid., 679.

He was not accredited to the actual power ruling in Scotland, as to a government. He could only speak to individual members of the ruling power. These treated him according to their humour. When he pressed them disagreeably they would assume the tone of men who had business to attend to and had no time for idle gossip. Occasionally he caught a sharp retort from Lethington's bitter tongue. Gradually and gently he endeavoured to explain the hopelessness of his mission to Elizabeth. It took about a fortnight, however, at that time to receive, even through a State messenger, an answer from London to a letter sent from Edinburgh. Thus it was among the perplexities of the ambassador, that the more hopeless he found his mission, the more imperious became the tone of his instructions from London. On one occasion two remarkable letters must have crossed each other. The one was his own, announcing the abdication; the other was a paper of instructions, the draft of which exists, with marks of revisal by Cecil. The following passages are selected from it:[1]

"You shall plainly denounce unto them, that if they shall determine anything to the deprivation of the queen their sovereign lady of her royal estate, we are well assured of our own determination, and we have some most probable cause to think the like of other princes of Christendom, that we will make ourself a plain party against them, to the revenge of

[1] This letter may be found in Keith (ii. 702) and elsewhere. It is so distinct an exposition of the Tudor doctrines, that it has been thought proper to copy these passages from the original in the Record Office at the Rolls. Scots Correspondence, vol. xiv. No. 39, July 27, 1567; scroll instruction, Queen Elizabeth to Throckmorton, corrected by Cecil. The passages in italics are in Cecil's hand.

their sovereign, *for example to all posterity;* and therein we doubt not but God will assist us, and confound them and their devices, considering they have no warrant nor authority by the law of God or man to be as *superiors* and judges or vindicators over their prince and sovereign, howsoever they do charge or conceive matter of disorder against her. And therein we require them to appeal to their own conscience what warrant they have in Scripture, being subjects, to depose their prince; *but contrary, and that with express words in that epistle who to the Romans commanded them to obey potestatibus supereminentioribus gladium gestantibus, although it is well known the rulers in Rome were infidel.*

"You may assure them we do detest and abhor the murder committed upon our cousin their king, and mislike as much as any of them the marriage of the queen our sister with Bothwell. But herein we dissent from them, that we think it not lawful nor allowable for them, being by God's ordinance subjects, to call her, who also by God's ordinance is their sovereign prince, to answer to their accusations by way of force; for we do not think it conformed in nature that the head should be subject to the foot."

Again, when Throckmorton was afterwards angrily recalled:—

"In the old law we have the example of David, who not to die would ever hurt his anointed sovereign when he had him in his will and danger to do what he liked with him. In the new we have plain commandment to obey and love them, yea, though they be evil."[1]

[1] Scots Correspondence, vol. xiv. No. 48.

It has been supposed that in all this Queen Elizabeth was merely playing a game, and that she secretly wished success to the confederates, and would readily give them private aid. I count this as trifling with a momentous historical truth. The things done in Scotland slurred the dignity of royalty. She felt that a dangerous precedent had been established, and no one could tell when it might be followed. And indeed, taking the matter from her own point of view, she showed her sagacity in desiring, for the sake of royalty in England, that such a line of action in Scotland should be suppressed, if it could be suppressed. There is no doubt that the precedent, and the views by which it was justified, had great influence in promoting the resistance to Charles I. and its tragic end. Had she not been more prudent than her father she would have sent a force across the border to carry her point.[1]

But although she thus avoided desperate conclusions, Queen Elizabeth chose to consider that she and other monarchs were absolute rulers by divine ordinance, and not liable to be questioned or thwarted by subjects. It will clear the way through many difficulties to remember that she never swerved from this creed, or permitted it to be questioned. Even in the extreme case of the marriage of Mary with Bothwell,

[1] Since this was written I find the opinion that Queen Elizabeth was sincere in her threats confirmed by Mr Hosack in his 'Mary Queen of Scots and her Accusers' (350 *et seq.*): "Right or wrong, she would not stand tamely by and see her cousin murdered. She would remonstrate with these rebellious Scots, and if remonstrances proved ineffectual, she would send an army to chastise and reduce them to obedience." This concurrence is the more significant, as, according to traditional practice, a vindicator of Queen Mary has to make the perfidious cruelty of Elizabeth an antithesis to the generous candour of his heroine. See also the 14th chapter of Froude.

she would not permit it to be spoken of in her presence that her sister's subjects could interfere to prevent the catastrophe. To this there is curious and strong testimony in a letter from Randolph, where he tells how Queen Elizabeth just dropped a hint of the ominous marriage, and continues:—

"These news it pleased her majesty to tell me this day, walking in her garden, with great misliking of that queen's doing, which now she doth so much detest that she is ashamed of her; notwithstanding her majesty doth not like that her subjects should by any force withstand that which they do see her bent unto.

"Her majesty also told me that she had seen a writing sent by Grange to my Lord of Bedford, despitefully written against that queen in such vile terms that she could not abide the hearing of it, wherein he made her worse than any common woman. She would not that any subject, what cause soever there be proceeding from the prince, or whatsoever her life or behaviour is, that any man should discover that unto the world; and therefore she utterly misliketh of Grange's manner of writing and doing; that she condemneth him for one of the worst in that realm, seeming somewhat to warn me of my familiarity with him, and willing that I should admonish him of her misliking."[1]

On the present occasion Throckmorton showed by his conduct his entire belief in the sincerity of his mistress. If it were necessary to seek anything beyond the general aspect of the affair in proof of this sincerity, it might be found in the ultimate reason which he reported to her for abandoning the attempt to in-

[1] Randolph in Maitland's Narrative.

fluence the Scots, and in the success of that ultimate reason. He said he found that the Queen of England's interference endangered the life of the Queen of Scots. Having ventured to reveal to Lethington some of the views in Elizabeth's letter of the 27th, and to sift him on the effect these might have upon his colleagues, the answer, as reported by Throckmorton, was: "My lord ambassador, I have heard what you have said unto me. I assure you, if you should use this speech unto them which you do unto me, all the world could not save the queen's life three days to an end, and as the case now standeth it will be much ado to save her life."

For some time the ambassador had been enlarging on the risk she ran of being put to death; but here, without committing himself to so unwelcome an opinion, he let his mistress see that she was working for that consummation, and that the confederates were desirous to avoid it. He was seconded by Cecil, whose ingenuity gave point to the advice, by a hint that Elizabeth, if she persisted, would be suspected of doing so for the purpose of securing the death of the Queen of Scots, and being able to plead, "Thou canst not say I did it."[1]

The ambassador's correspondence reports, with picturesque distinctness, a conversation which he held with two of the confederates. While it showed to him that intervention from England would increase Mary's danger, it revealed ambitious interests as well as angry passions looking in the direction of her death. Ostensibly the Hamiltons were her chivalrous friends; but whether it was a calumny or not, Throckmorton reported to his mistress that they eagerly desired her

[1] Letter, Cecil to Throckmorton, cited by Hosack, 358.

death. His conversation was at first with Murray, the Laird of Tullibardine, a brother of the Countess of Mar who had charge of the infant king. The laird told him such things, that the experienced statesman, well versed in duplicity, said he could not think how people could have "such double faces and treacherous minds as the Hamiltons." Apart from the question of criminality, the ambassador suggested that, as a matter of self-interest, their view was a mistake :—

"I said also they might make a better profit of the queen's life than they could of her death, she being divorced from Bothwell, or the marriage dissolved by Bothwell's death, which was like to ensue if justice proceeded. That then either some of the Duke's of Chatelherault's (as he had divers marriable), and likewise the Duke of Argyll having a brother to be married also, might make a better bargain by marrying of the queen, than to seek her destruction." On this suggestion Tullibardine said :—

"My lord ambassador, these matters which you speak of have been in question amongst them ; but now they see not so good an outgate by any of those devices as by the queen's death ; for she being taken away, they accompt but the little king betwixt them and power, which may die. They love not the queen, and they know she hath no great fancy to any of them. And by thus much they fear her the more because she is yet young, and may have many children, which is the thing they would be rid of." The ambassador indeed said that John Hamilton, the archbishop, had proposed a distinct practical arrangement for putting the queen to death. So far as the character of these Hamiltons is at stake, it must be remembered

that these charges passed through two exaggerating mediums. They were made to frighten the ambassador, and he desired to communicate his fears to his mistress. Continuing the account of his interview, he tells how he ventured on certain deprecatory arguments — "some gathered of the law of God, some of the law of man, some of the honour of their whole country, some for particular honour for himself and his friends;" and lastly, on the impolicy of opening the succession to the Hamiltons. He thought he had made some impression on Tullibardine, when one not so easily persuaded — Lethington himself — joined them. It was then that the ambassador endeavoured to make the two understand, as he tells his mistress, "what your majesty did think of their rash proceedings, finding the matter in this hasty sort, to proceed with a queen, their sovereign being a queen anointed, not having imparted their intents to your majesty." He then in his perplexity says, "Also I did declare unto him some part of the substance of your majesty's instructions given me in your said letter of 27th of July." This glimpse at the purport of the "said letter" called from Lethington an emphatic declaration about Mary's danger. He uttered it in offering what he called "the best advice to prevent extremity;" and the words of his counsel were: "Either the queen your sovereign will not be advised, or you do forbear to advise her. I say unto you, as I am a Christian man, if we who have dealt in this action would consent to take the life from her, all the lords which hold out and lie aloof from us would come and conjoin with us within these two days."[1]

[1] Scots MSS., No. 50.

Throckmorton, in his perplexity, sought help from the potent Leicester. Slight revelations show that when he thought fit to interpose in the affairs of Scotland, it was with so high a hand as to put Cecil and others in the position of mere subordinates ministering to a prince.[1] Throckmorton, in appealing to him, referred to a letter of "discursive and favourable advice" which Leicester had sent to him along with his official instructions as ambassador. In his appeal he takes strong ground; he regrets bitterly the tone of the instructions sent to him, and takes credit for achieving great things by his own prudence. "Whether," he says, "it were fear, fury, or zeal, which carried these men to the ends they be come to, I know not; but I dare boldly affirm to your lordship, albeit I could neither procure access to this queen, nor procure her liberty, with restitution of her to her estate, yet I have at this time preserved her life—to what continuance I am uncertain. Sure I am there is nothing shall so soon hasten her death as the doubt that these lords may conceive of her redemption to liberty and authority by the queen's majesty's aid, or by any other foreign succour."[2]

The ambassador was told that there is to be a muster of the leaders of the confederates at Corstorphine to discuss the weighty matters on hand; and on this he drops the remark, "I make no other reckoning but that they will agree. I pray God

[1] When Throckmorton's recall was made out, it was intimated to Cecil, that "because it was very late before her highness signed the same, and that my Lord of Leicester said he was also to write by this despatch, I was driven to forbear the sending away of the packet until this morning."—Stevenson's Selections, 266.

[2] Stevenson's Selections, 261.

their accord be not such as was between Herod and Pilate to put Christ to death."[1] A few days earlier he had cited examples more ominous, because nearer home: "It is to be feared that this tragedy will end in the queen's person after this coronation, as it did in the person of David the Italian and the queen's husband."[2]

Like other ambassadors lying under suspicion of bearing imperious messages from England, Throckmorton became alarmed for his own safety. His fears were not of any harsh dealing from the statesmen with whom he was in controversy; but when they retired to their estates, and left him unprotected in Edinburgh, he was in much perplexity. He saw danger in remaining there, and still more danger in an attempt to find refuge in Berwick, a project which crossed his thoughts.[3]

Perhaps, had all that his mistress ordered him to work out become known, his danger had been far more serious. Queen Elizabeth desired to have the young prince or king in her charge, and seemed to think this a natural request which would be easily conceded. That Throckmorton was authorised to make it we only know from his instructions. The affair does not appear on the face of the diplomatic transactions in Scotland. Such a proposal would recall to every one practically acquainted with Scots politics the bitter history of

[1] Scots MSS., No. 50. [2] Stevenson's Selections, 255.

[3] He writes to Cecil on the 26th of July: "If I could go safely, as I much doubt of it, I would retire myself to Berwick until I hear from you, this town being left destitute of all noblemen and gentlemen, save Sir James Balfour, captain of the castle, and the Laird of Craigmillar, provost of the town. There is also left here 200 harquebusiers for the guard of this town."—Stevenson's Selections, 255.

those times in which Henry VIII. strove for the possession of "the child."[1]

On the 9th of August the ambassador made a brief but strong appeal to Cecil for his recall. He repeated in these terms some final words of advice given him by Lethington overnight: "'It is to no purpose for you to tarry here. You may make matters worse than they be, for we may not satisfy the queen your mistress's affections unless we should cast our king, our country, and ourselves away; and she will do nothing that can be plausible to us. To us the least harm—nay,' said he, 'we will take it as a piece of good—will be for her majesty to let us alone, and neither do us good nor harm; and, peradventure, this will bring far the better mean than any other course; for men begin to hold all things suspected that come from you, and if you be over-busy with us, you will drive us faster to France than we desire to run.'" Throckmorton's comment on the conversation is: "I do perceive by the Lord of Lethington, they could be as well contented that I were hence, as I desire it. And surely they see thoroughly into your doings, and

[1] "As ye shall deal with the lords having charge of the young prince for the committing of him into our realm; so shall ye also do well, in treaty with the queen, to offer her, that where her realm appeareth to be subject to sundry troubles from time to time, and thereby, as it is manifest, her son cannot be free from peril, if she shall be contented her son may enjoy surety and quietness within this our realm, being so near, as she knoweth it is, we shall not fail, but yield her as good safety therein for her child as can be devised for any that might be our child born of our own body, and shall be glad to show to her therein the true effect of natural friendship. And herein she may be by you remembered how much good may come to her son to be nourished and acquainted with our country. And therefore, all things considered, this occasion for her child were rather to be sought by her, and the friends of him, than offered by us."—Letter, Queen Elizabeth to Throckmorton, 14th July 1567; Stevenson's Selections, 202.

do understand such things and speeches as I could have wished had never come to their knowledge." This is an allusion to a Parthian dart sent by Lethington as he went. How it wounded we can but guess, but we can see it to have been sharp from its very brevity. "'And, my lord ambassador,' said he, 'we know all the good purposes which have passed betwixt you, the Hamiltons, the Earls of Argyle and Huntly, since your coming into this country.'" The ambassador's conclusion on all this is: "To tell you my own opinion, I see no great purpose of my tarrying here any longer; for whatsoever you intend to treat with these men hereafter, it were good there were some pause used, to suffer them to chew upon their own bridles."[1]

Before his last appeal reached London it was determined that Throckmorton should be relieved of his mission. It was not necessary, however, that he should return immediately, and a prospect dawned upon him which induced him to remain. Murray was coming, and this event promised safety and moderate counsels. Throckmorton went three miles out of Edinburgh to meet him, deeming such an act "convenient" to her majesty's service. He noted how the new-comer was greeted with vehement popular applause. He says, "I had conference with him in such sort as might best advance your majesty's purpose at his hand. And as I found my said lord very honourable, sincere, and direct, so I found him not resolved what he will do, nor what he will consent unto; abhorring on the one side the murder of the king and the circumstances conjoined therewith, which

[1] Stevenson's Selections, 267.

he can like in nowise should pass with impunity; so on the other side do I find in him great commiseration towards the queen his sister, and yet not fully determined whether he will accept the regency or refuse it; but rather in my opinion he will take it upon him than leave it, being thereto pressed by all these lords and gentlemen which have dealt in this action, all which, in very deed, be the men he doth value and esteem most within this realm." [1]

There is now a change in the tone of the ambassador's letters. It is not that he is any nearer to the direct fulfilment of his instructions. He finds in the end that it is "lost money, lost labour, and lost time that is spent here." [2] But he is no longer standing on the crust of a volcano. He has to deal with a Government pursuing a firm and fixed policy. Yet though his letters no longer bear a tone of fear or anxiety, their purport cannot have been much to the liking of his mistress. Almost immediately he had to announce a proposal for sending an ambassador to England to represent the new Government as an independent sovereignty: "Upon long conference had with the Earl of Murray, and likewise with the Laird of Lethington, and then with them both jointly, I do perceive they be disposed to send some wise man and a credit to your majesty in legation, in case they thought your majesty would receive him graciously, and make no difficulty to use him favourably as the king's ambassador: otherwise, if your majesty cannot be pleased to accept an ambassador in the king's name, they mean not to deal any further with your majesty."

Whatever impression Murray may have left as he

[1] Stevenson's Selections, 269. [2] Ibid., 283.

passed through England, it did not extinguish the hope that Mary's liberation might be accomplished, and the ambassador was directed to press the point on the new Government. He lost no time, for on the 22d of August, when, as we have seen, the regent was inaugurated and proclaimed, the ambassador reported a conference held with Murray and Lethington on the previous day. They professed in common that "they never meant harm—God they took to witness—neither to the queen's person nor to her honour;" but she was as a person afflicted with "an extreme disease," calling for strong and skilful treatment. It fell to Lethington, who had been at the helm, to discourse more at length. He managed pretty successfully to involve the main question in complex conditions: "This matter doth carry with it many parts, some concerning the queen's person, some the king her son, some the realm, and some the lords' and gentlemen's sureties; and when they shall see a moderation of the queen their sovereign's passion, they mean nothing but well unto her, and she shall have nothing but good at their hands. There is no way to do her so much harm as to precipitate matters before they are ripe, or to put these lords to a strait; for so against their wills they shall be constrained to do that they would not do." They had all endured with patience much hard language from Queen Elizabeth and others, who called them "rebels, traitors, seditious, ingrate, and cruel." And should this treatment be carried farther, they may have to deal otherwise with their queen than they intend or desire. "'For, my lord ambassador,' said he, 'you may be assured we will not lose our lives, have our lands forfeited, and

be reputed rebels through the world, seeing we have the means to justify ourselves.'" If England is to make war on them, then war be it, rather than that the captive should be liberated "in this mind that she is in, being resolved to retain Bothwell and to fortify him, to hazard the life of her son, to put the realm in peril, and to forfeit all these noblemen." As to war with England, they are accustomed to it: "You will burn our borders, and we will do the like to yours; and whenever you invade us, we are sure France will aid us, for their league standeth, and they are bound by their league to defend us." Then some farther hints were discharged about his practices with the Hamiltons and others, which seem to have gone home, for he made no defence. They were thrown, however, more in sarcasm than anger. He was told he was wasting his money; for either those who take it—alluding especially to the Hamiltons—"will laugh you to scorn when you have done, and agree with us—for we have in our hands to make the accord when we will,—or else you will make them attempt some such act as they and their house shall repent it for ever."

He continued with a touch of the same sarcastic scorn, tossing the imperious conduct of Queen Elizabeth in her ambassador's face, as an insult that, on the whole, his party were too strong to trouble themselves about very deeply, and passing a jest on the Queen of England forgetting to change her tone when she addressed those who were not her own subjects. And the while that she was calling on them to do what she wished, she was doing nothing whatever to further their serious objects: "Will the queen your mistress arm two or three ships to apprehend Both-

well? pay a thousand soldiers to reduce all the forts of this realm to the king's obedience? Then we will say, doing this, that her majesty mindeth as well these other matters spoken of as the queen's liberty."

Then comes a sudden change in the diplomatic drama, which the ambassador announces in saying, just after he has recorded this thrust from Lethington, "I directed then my speech to my Lord of Murray. 'Sir, you have no such interest in this matter as these men have, for you have committed no such excess; and therefore I trust this answer given me by the Laird of Lethington, though it may be the mind of the other lords his associates, yet I trust it be not agreeable to yours.'"

The ambassador had determined to seize his opportunity, and to force a way to the intentions that had remained inscrutable. The time had come when Murray had to commit himself to a policy; for virtually he was chief ruler in Scotland, and the ceremonies of next day would make his signature the sanction for the enforcement of the royal prerogative. He spoke, and his words were, as the grave announcement of distinct conclusions likely to be effected, the weightiest that had for generations been uttered in Scotland. As the ambassador reports to his mistress, "The earl said, 'Sir Nicholas, truly methinketh you have heard reason at the Laird of Lethington's hand; and for mine own part, though I were not here at the doings past, yet surely I must allow of them, and do mean, God willing, to take such part as they do. And seeing the queen and they have laid upon me the charge of the regentry —a burden which I would gladly have eschewed—I do mean to ware my life in defence of their action, and

will either reduce all men to obedience in the king's name, or it shall cost me my life. And if the queen your sovereign do look into the world, she will find more profit for her and her realm to fortify and assist us than to be against us; for though we may have cover by her means, yet if the matter be well considered, those which her majesty doth fortify against us will bring little commodity to her or England.'"

The ambassador then tells the result of those negotiations with the Hamiltons which were the object of Lethington's sarcastic and ominous allusions. This part of his report is, in its shifty dubiety, a signal contrast to the decided utterances which precede it. The names he mentions are the Lord Fleming, who was of consequence as retaining the command of Dumbarton Castle; the Lord Herries; the head of the house of Hamilton, who was still in France; and two John Hamiltons, the one being the Archbishop of St Andrews, the other, as it would seem, a secular priest, who became dangerously notorious for his fierce enthusiasm in the cause of the French Catholic league, and his share in the murder of Barnabé Brissot, the great French lawyer and magistrate. Though there were thus active men in the party, Queen Elizabeth got but a poor prospect of anything effectual being done by them. The ambassador says:—

"I do guess by the contents of their letter that both they be not very hasty in this matter, but would gladly make your majesty to serve their turn; and also that there be not many to adhere unto them, seeing their letter is subscribed with so few hands, and those of no great moment. Many of those noblemen and gentlemen whereof the Hamiltons made account

to run their fortune do write daily to the Earl of Murray, and do offer unto him obedience and fidelity, so as I think the Hamiltons' faction will be far too weak." Then comparing them with the confederates, he concludes: "Indeed their party is nothing so well made as these lords; for besides their forces which lie united, they have the town and castle of Edinburgh, the town and castle of Stirling, the town of Leith, and the passages from all parts of the realm, at their devotion."[1]

To the despatch containing these passages and others, received by her in the month of August, Queen Elizabeth sent an acknowledgment, with instructions so cold and hesitating as to show a thorough misgiving about the wisdom of her angry demands. She hopes the "peremptory proceedings" reported to her are in time to "wax colder and to receive some reformation." Her encouragement to the Hamiltons is of the faintest kind, with a tinge of suspicion in it: "Our meaning is, you shall let the Hamiltons plainly understand that we do well allow of their proceedings so far forth as the same doth concern the Queen of Scotland for her relief; and in such things as shall appear reasonable for us to do herein for the queen our sister, we will be ready to perform the same."[2]

About the middle of August the ambassador received —to his "comfort," as he with evident sincerity says— a definitive direction to return. Before he went, however, he made a last effort to obtain an interview with Mary, and to press for her release. On the former point he was flatly told that there was more reason

[1] Keith, ii. 741-45. The letter "subscribed with so few hands" is mentioned above, p. 4.

[2] Keith, ii. 747, 748.

than ever to preclude his access to the queen, since Lignerolles, who had been sent expressly to commune with her, was refused that privilege. For the queen's release "the lords could not resolve thereupon, because her liberty and the time thereof depended upon accidents." The ambassador referred to one of the most probable and most important of these accidents. Supposing Bothwell caught and "justified"—that is, condemned and executed—what then? But Murray would not commit himself to prospective action, and answered, "They could not merchandise for the bear's skin before they had him." The ambassador still persisted—they must "foresee by imagination what should be meet for them to do;" and he so far succeeded as to get an answer, reported by him to his friend Cecil in the following shape:—

"The Earl of Murray answered, 'As far as I can perceive, the queen's liberty then will depend chiefly upon her own behaviour and considerate doings; for if the lords may perceive that she doth digest well the justifying of Bothwell, the punishment of his adherents, and doth not discover a wrathful and revengeful mind towards these proceedings,—and likewise if the queen your sovereign will so deal as we may have cause to think that she seeketh the quietness of this realm, and not the trouble of it, as by countenancing and nourishing certain factions,—then these lords will seek to do all grateful things to the queen our sovereign, and to the queen's majesty of England. Marry, to fish so far before the net, and to tell now what shall be done then, neither do I nor they think convenient to give any determinate answer.'"[1]

[1] Keith, ii. 759; Stevenson's Selections, 297.

Having given the ambassador his final answer with a distinctness that left no room for farther negotiation, the confederates were desirous to propitiate him so far as they could in consistence with the position they had taken. On the day fixed for his departure he was desired, "after the sermon," to walk with Murray to his house. There he found assembled "all the lords," as he says. Lethington, apparently with his usual fluent and graceful eloquence, took occasion to recall the many services done to them by the Queen of England, how especially she had served them in their utmost struggles at the siege of Leith, when their danger from foreign enemies was extreme. He spoke of the accord of religion between the countries as a natural bond of union, and declared that "no men would be more sorry than they to have the queen's majesty conceive otherwise than favourably of them." Murray followed in the same strain, with a stronger reference to personal obligations and ties, "concluding there was no prince next those which he ought his chiefest duty unto, that the alienation of their favour might trouble him so much as the queen's majesty's." Lastly, Morton was pathetic on the kindness shown to him in the time of his "trouble," after the disagreeable affair of Signor Davie.

Some of the assemblage took the ambassador to a recess, where there was a present for him of "gilt plate." He speaks respectfully of its value; but there was more connected with it than money's worth. They offered it to him as a present "from the king their sovereign lord." He says, "I declared that I could not accept any present from any person within that realm but from the queen their sovereign, of whom I

would not make any difficulty to receive a present if she were in case to bestow any; but as from the king —whom I took to be prince—I could receive none, seeing he had attained to that name by injuring the queen his mother." They pressed him hard, but he remained firm in his purpose, and so departed homewards.[1]

Queen Elizabeth had an opportunity of explaining her policy and conduct on this occasion. She had requested the co-operation of the King of France, the Cardinal of Lorraine, "and others, the uncles and friends of our sister the Queen of Scots, touching some honourable means to be devised for her relief and liberty." On this invitation M. Pasquier was sent as ambassador to England. Queen Elizabeth had personal conferences with him. Of these she gave an account to her own ambassador in France, and as this account does not seem to vary much from the truth, it is valuable and interesting. She says:—

"We told him that as we had been always inclined to favour equity and justice as much as in us hath lain, so hearing of the pitiful and hard case that the Queen of Scots our good sister was in, we could not, for the commiseration we had of her woeful estate, but procure to ease her thereof to the uttermost we could, and thereupon sent our ambassador into Scotland, who by our order dealt first in all mild and gentle sort with the lords there for the relief of the said queen; and perceiving that that manner of dealing, although it had been at sundry times and in diverse degrees attempted, could nothing prevail, we letted not to cause sharp and threatening words to be also used; which profiting as little as the rest, we thought

[1] Keith, ii. 760, 761.

best, seeing the small fruit that had followed upon our good meaning, to revoke our ambassador, and thereupon sent our advice and opinion unto our said good brother by you our ambassador, since which time the state of matters seem to be very much altered in Scotland; for whereas at that time it was thought that the Hamiltons, and certain others of their faction, would have made a good party in that realm, if they might have been therein assisted by the French king or us, towards the said queen's restoring to her liberty, now it is certainly advised from thence that they are all come in, and have joined themselves with the rest of the lords; so as there is now no means left within that realm to make any party to join with any force that should be sent to make any exploit there. Besides, we were (we said) born in hand, that if the matter should be dealt withal by way of force and hostility, the queen our sister's life were like thereby to stand in great hazard; and therefore, seeing gentleness had not hitherto prevailed, and that extremity and force might bring danger to her person, whom both the king and we mean to preserve to the best of our power, we said, the matter hanging thus in balance, would be well thought upon and ripely considered before anything were taken in hand."[1]

Thus Queen Elizabeth stopped in time. It was not the only critical occasion on which she did so, to the great profit both of herself and others. She thus, indeed, preserved her self-satisfying principle of divine right by never permitting it to encounter the rude test of practice. It was chiefly in this faculty that she showed her superiority to her father as the chief

[1] Keith, ii. 771, 772.

ruler of England. Holding the same despotic notions, and stirred often by like passions, she yet possessed that high gift of policy, the faculty of retreating from a false position while it is yet time—while yet it can be done without the loss of honour and dignity. The history of fifty years earlier shows us, that had her father so threatened Scotland, he would have pushed his threat "to the bitter end," be that where it might. There would have been the same relentless castigation and the same dogged endurance. Whether Mary's life would have been sacrificed or not, the people of the country would have presented their old steady front against English aggression or dictation. It is anomalous enough, no doubt, to suppose the Protestant Scots bringing in the French Papists to aid them against their Protestant friends of England; but the strong current of nationality would have drifted to such a conclusion, and France and Scotland would have actually resumed the ancient league against England, still nominally existing. Queen Elizabeth must have felt conscious of all this, and the imminent danger to herself that might follow, and so she acted as we have seen.[1]

[1] The two leading features in Queen Elizabeth's dealing with this affair—1st, her wrath at the Scots for their conduct to their queen; 2d, the influence of her advisers in persuading her that interference would only endanger the captive's life—are briefly and clearly set down by Cecil, writing to Norris, the English ambassador to France, and telling the passing news, when he had no object to serve in telling it falsely: "The Hamiltons hold out; the Earl of Murray is now regent; the queen's majesty our sovereign remaineth still offended with the lords for the queen—the example moveth her." And again: "Surely if either the French king or the queen should appear to make any force against them of Scotland for the queen's cause, we find it credibly that it were the next way to make an end of her; and for that cause her majesty is loath to take that way, for avoiding of slanders that might grow thereby."—Cabala, 141.

CHAPTER XLIX.

Organisation of the Church.

CONFIRMATION OF THE REFORMATION STATUTES — GENERAL ASSEMBLY—POWERS OF DISCIPLINE—ATTEMPTS TO RECOVER THE TEMPORALITIES—HOW THEY SUCCEEDED—FORMATION OF JUDICATORIES—MODELLED ON THE HUGUENOT ARRANGEMENTS —THE CLERGY—USE OF THE ENGLISH LITURGY—HISTORY OF THE "BOOK OF COMMON ORDER," OR SCOTS PRAYER-BOOK— ADAPTED FROM THE GENEVA LITURGY USED BY KNOX IN FRANKFURT—SCENES OCCURRING THERE IN CONNECTION WITH ITS USE—EXAMINATION OF THE BOOK OF COMMON ORDER IN ITS RELATION TO OTHER LITURGIES — ITS USE CONFIRMED— TRANSLATED INTO GAELIC—FORMS OF BURIAL AND ADMINISTRATION OF THE SACRAMENT—THE VOCAL PRAISE—THE SPIRITUAL AND GODLY SONGS—THE PSALTER — CONDITION OF THE ECCLESIASTICAL EDIFICES.

THE events of the year 1567 make a turning-point in the history of the Church as well as of the State. As we read the statute-book, Popery was overthrown and the Reformation established in 1560. We have seen, however, that it was deemed prudent to confirm the legislative work of that year in the year 1567. During the interval the new Church held not so much by the legitimate position of an established national institution as by the strength of its supporters. Care was taken to leave it so unprotected by the head of the State, that any day, through a counterbalance of power,

the Reformation might have been abjured as rapidly as it had been adopted. It scarcely needed an Act of the Estates to accomplish this. If the Romish party had been powerful enough, they and the queen would probably not have paid so much respect to these Acts, which had never obtained the royal assent, as to repeal them by a counter-Act of the Estates. Thus it was in this crisis of 1567, when Mary's reign suddenly ceased, and Murray governed in the name of her infant son, that the Reformation really was established in Scotland.

Within the Church we may trace the effects of the change. During the seven years of dubiety the political attitude of the Protestant Church is strong and determined; but there are few traces of the exercise of authority over the citizens. The new ecclesiastical rules are rigidly enforced against ecclesiastical persons, for the purpose of keeping the Church itself pure in morals, and correct in doctrine and form. There are, at the same time, powerful protestations against crimes in high places, such as the murder of Darnley, and the other flagrant acts of the period. It is not until the Church found itself achieving a firm position that we find it organising a machinery for the correction of the morals of the people. Among the earliest existing indications of the new Church looking out of its own sphere for matter of reproach and correction is one in 1563, when four women are delated for witchcraft by the Superintendent of Fife. The matter finds its way to an Assembly, who modestly dispose of it by a resolution that the Privy Council be requested to take order concerning it.[1]

[1] Book of the Universal Kirk, i. 44.

On 28th June 1567 there is an entry significant of the beginning of interference with the liberty of free action. John Spottiswood had been excommunicated for his misdeeds. It is told that, in contempt of the Church's thus excluding him from communion with the faithful, Sir William Hamilton of Sanquhar harbours the excommunicated man in his dwelling-house. The Assembly orders that Sir William send him forth.[1]

We find the corrective authority gradually increasing. After two years' growth, on the 6th of July 1569, a group of offenders—there are no means of knowing how many—appeared before the Assembly. They were all under excommunication for sins of the flesh, and they appeared, as the record tells us, "to know what the Assembly would enjoin them."

"The Assembly ordained every one of them to repair to their superintendents, or to the ministers, elders, and deacons of their own church *respective*, and to receive injunctions from them how they shall behave themselves till the next Assembly; and that then they bring a testimonial from their ministers of their behaviour to the Assembly, and that they present themselves to the next Assembly bareheaded and barefooted in linen clothes, humbly requesting the Assembly for farther injunctions for their offences, and restitution to the bosom of the Kirk."[2]

There was a movement—certainly a natural one—towards the establishment of an ecclesiastical censorship over the press. Bassendyne the printer was

[1] Book of the Universal Kirk, i. 98. The Assemblies held from time to time were the germ of the "General Assembly;" but it is perhaps scarcely correct to use at this stage a name applicable to a permanent institution.

[2] Book of the Universal Kirk, i. 144.

charged with the publication of a profane ballad in an edition of the Psalms. But he had committed a far more serious offence, in that a book published by him, called 'The Fall of the Roman Kirk,' spoke of "our king and sovereign as supreme head of the primitive Church." It was ordered by the Assembly that he "is not to print without licence of the supreme magistrate, and revising of such things as pertain to religion by some of the Kirk appointed to that purpose."[1]

In 1574 a committee was appointed "to oversee all manner of books or works that shall be proposed to be printed, and to give their judgment thereupon if the same be allowed and approved by the law of God or not; their judgment or opinion thereof, by their superscription and handwrit, to witness and testify for relief of such as shall read the said works." To revise the sacred poems in Latin, just issued by Patrick Anderson, a committee was appointed remarkable for the eminence of its members. "The Right Honourable Mr George Buchanan, Keeper of the Privy Seal; Mr Peter Young, pedagogue to our sovereign lord; Mr Andrew Melville; Mr James Lawson, minister of Edinburgh."[2] Where censorship has existed, literature has often taken vengeance on the censors by sarcasms on their ignorance and their incapacity to understand what they are castigating; but here it was probably the author's grief that he was put into the hands of masters only too capable of detecting any deficiency in his attainments.

The authority arrogated by the Churchmen was not limited to the class who wrote books, but extended to the most powerful among the territorial lords.

[1] Book of the Universal Kirk, i. 126. [2] Ibid., 310.

The Earl and Countess of Argyle came under censure—he in separating in an unbecoming fashion from his wife, she in having attended the Popish ceremony of the christening of the prince. The earl professed his willingness to submit to discipline if he were in fault, but pleaded that he was not to blame. The Superintendent of Argyle was directed to make inquiry in the matter, and cause such satisfaction to be made as God's law appoints. "The countess admitted her guiltiness, and she was ordained to make public repentance in the Chapel Royal of Stirling upon ane Sunday in time of preaching."[1]

But however the Church as a body might feel that its influence was strengthening and widening, there was one point on which the Churchmen personally were doomed to feel that all effort was hopeless—the redevotion to spiritual purposes of the revenues of the old Church. The appropriators of these funds were naturally the friends of Protestantism, because that cause had put them in the way of gaining what they had gained, and the triumph of Popery might be the loss of all. They might be, therefore, counted on for any amount of aggregate zeal in the cause; but when there was a personal pressure to deliver over to the true Church what they had taken from the idolaters, they were firm as fate.

The policy pursued by the clergy in this contest is supposed to have exercised a decided influence on the constitution of the Presbyterian Church in Scotland. It inherited from the Huguenot consistories and synods the practice of admitting lay elders as component members of the ecclesiastical assemblies. But the

[1] Book of the Universal Kirk, i. 310.

decided hold which the lay interest has ever held in Scotland may in great measure be attributed to this, that in the infancy of the Church it was deemed wise that those who showed their zeal for the Reformation by despoiling the Popish hierarchy should be dealt with as zealous members of the new Church.

It is often said that the institution so arising —laymen elected by laymen to sit in ecclesiastical courts—testifies to the broad popular principle of a Church relying on the voice of the people. On the other hand, it may be maintained that, whether in its original design or its subsequent growth, the lay eldership was a politic device for strengthening the ecclesiastical authority by rooting it in lay soil. No doubt ruling elders are laymen elected by laymen; but all who are elected in the higher courts must belong to the guild of eldership, and that guild is created by the clergy. Every one who sits at the table of the kirk-session—the fundamental Presbyterian court—has been ordained to the eldership by a clergyman; and whatever he may turn afterwards to be, he must have entertained principles acceptable to his ordainer. Those so ordained, too, have subscribed the articles of faith and discipline peculiar to the Church. All this is something very different from the election of laymen at large to sit in ecclesiastical courts, as the constituencies elect members of Parliament or of a corporation. As of other institutions connected with the Church, the features of this may be traced in the institutions of the French Huguenots, who guarded it even more strictly than the Scots from any disturbing element.[1]

[1] See in Quick's Synodicon (xxvii.) the canons for "elders and deacons."

In the mean time, the more completely they were admitted as a component element in the new organisation, the more flagrant became their sin if they withheld its own from the new priesthood. At the Assembly held in the crisis of 1567, "letters missive" were addressed to certain important persons among the landed aristocracy, inviting and persuading them to be present and co-operate with their clerical comrades. Many of them sent letters of "excusation," but a sufficient number attended to create surprise at the resolutions adopted by the Assembly. They were to do all in their power for the suffering clergy, and that not only "to the relief of their present necessity, and while ane perfect order may be taken and established towards the full distribution of the patrimony of the Kirk, according to God's Word;" but they engage to press in Parliament to their uttermost, "that the faithful Kirk of Jesus Christ professed within this realm shall be put in full liberty of the patrimony of the Kirk, according to the book of God, and the order and practice of the primitive Kirk."[1]

These protestations were not only permitted to pass, but were subscribed by about eighty of the most notorious impropriators of Church-lands. Foremost in this list appear the signatures of Morton, Glencairn, Mar, Hume, Ruthven, Sanquhar, Lindsay, Ochiltree, Sir James Balfour, Sir James Macgill, Tullibardine, and William Maitland of Lethington.

On the face of the proceedings of Parliament the

In the election the wife's orthodoxy was a consideration: "Henceforward, if it may be possibly avoided, none shall be chosen elders or deacons of the Church whose wives are not of the true religion according to the apostles' canon."

[1] Book of the Universal Kirk, i. 107.

claims of the Church stand as if they were cordially admitted by the temporal power. A statute in their favour goes out of the strict course of legislative indifference to sympathise with the suffering clergy, and censure their oppressors. "Because," it says, "the ministers have been lang defrauded of their stipends by ane great space, wherethrough they are and sall be constrained to leave their vocation unless remeid be provided;" therefore the Act professes to make sure that "the haill thirds of the haill benefices of this realm sall now instantly, and in all time to come, first be paid to the ministers of the evangel of Jesus Christ and their successors." But this was not all that the Act seemed to promise. The thirds are but a temporary arrangement to relieve the Church of its immediate indigence; and it is only to last until "the Kirk come to the full possession of their proper patrimony, quhilk is the teinds"—that is, the tenths or tithes. Among the official notes of matters more or less adopted by this Parliament, but not formally passed into statute, some portion seems to have been devised for giving what the clergy professed sorely to need—an effective process for recovering the emoluments thus declared to belong to them. By way of preamble to this unpassed measure it is set forth that these remedies should be in force until "the Kirk be put in full possession of the haill patrimony," a term which includes the temporalities as well as the tithes.[1] But all this bore no fruit, if we may except the historical conclusion, that the statesmen of the day were anxious to secure the co-operation of the clergy.

Many signs of the times, however, make it clear that

[1] Act. Parl., iii. 37.

the poor clergy would readily have compounded for a punctual payment of their thirds. The law declared for them, but, as if in furtherance of a fixed policy, omitted to supply them with the practical machinery for enforcing their rights, though an Act professing to do so was, we have just seen, drafted and laid before the Estates. There were difficulties in the way of each clergyman identifying his own. His "third" might have to come out of some estate which had belonged to his Popish predecessor in a distant county. The local collectors paid everything over to the comptroller in exchequer, and of him the clergy had to seek their respective shares without means for recovering them, or even, perhaps, of identifying them. The regent issued an order to the controller to permit the clergy to collect and appropriate their own thirds. But this had no more influence than the other warrants professing to render justice to the clergy, and for several years they bewailed the poverty of their lot, and the hard measure dealt out to them. They at the same time proclaimed that the selfish men who appropriated the patrimony of the Church were hard masters to their tenants, and rigid exacters of their tithes, and whether disinterestedly or not, they raised an occasional cry of commiseration for those who were thus oppressed.[1]

The political storms close at hand brought no relief to the clergy. In August 1571 we find some of their lay friends, in a memorial to the regent, complaining that all temporal sustenance worth looking after was finding its way into the hands of "dumb dogs." To

[1] A collection of the documents relating to the thirds of benefices and the claims of the Church will be found in Connel on Tithes, i. 156, and Appendix, 25-27.

these fell everything laid apart "for the sustentation of preaching pastors, and for other godly uses." The other side of the picture was: "As touching the condition of our ministers present, it is more miserable nor the condition of a beggar, for beggars have freedom, without reproof, to beg over all; but our poor ministers, bound to their charge, are compelled to keep their house, and with dolorous hearts see their wives, children, and families starve with hunger." The case is expressed with the vehemence of Knox's school:—

"Your Government and greedy wasters violently reives and unjustly consumes that which just law and good order has appointed for their sustentation—to wit, the thirds of benefices, which are now so abused that God cannot long delay to pour forth His just vengeance for this proud contempt of His servants."[1]

We find the new Church gradually resolving itself into that shape and order which enabled it in 1578 to announce in a "Second Book of Discipline" its full organisation into a Presbyterian hierarchy of sessions aggregating into presbyteries, while these were grouped into provincial synods, and supplied the members to the supreme General Assembly. In 1567 we find, when the Assembly meets, that "for eschewing confusion in reasoning, the whole Assembly present named Mr George Buchanan, Principal of St Leonard's College, in St Andrews College, Moderator during the convention." This title of moderator was taken from the practice of the French Huguenots, along with other terms, such as that of the "Overture," by which any matter was opened for discussion. The first Protestant Assembly was held in 1559; and though the Scots

[1] Bannatyne's Memorials of Transactions in Scotland, 181.

had thus an example to teach them how to walk, it is probable that afterwards, being masters of their own actions in a free national Church, they afforded more practical instruction to their brethren of France than they received.

Such dignitaries in the old Church as conformed and were received into the new were subjected to its authority as simple ministers. Thus "Adam, called Bishop Orkney," who married the queen to Bothwell, is found in that act to have transgressed the laws of the Kirk, and is deprived of all functions of the ministry. The least conformable feature in the new organisation appears to have been the "Superintendents," for whom, after the first difficulty in organising the several local divisions, the Church seems to have been at a loss to find suitable functions. They seem to have acted after the manner of an executive for giving effect to the instructions of the Assembly and synods. Persons laid under censure are remitted to them for discipline; and we find that the superintendents in general are required to deal with all abbots, bishops, and others within their respective provinces who profess to belong to the Church by drawing its emoluments, and yet who neither perform pastoral duties nor attend at the meetings of the Assembly. They were to be brought to the Assembly, that their right to remain as ministers of the Word might be tested; and if there were no superintendent in the district, the nearest superintendent was to deal with them through "the minister next adjacent."[1]

There is a supposition that it may have been the intention of those early Reformers to confer on the

[1] Book of the Universal Kirk, i. 91.

superintendent important powers and duties in the collation of ministers. One short rule on this ceremony sets forth a very wide principle of action, however it may have been carried out in detail: "Touching persons to be nominat to kirks, that nane be admitted without the nomination of the people, and due examination and admission by the superintendent."[1]

Among the humbler Protestant clergy a considerable body appear to have been converts from the old Church, and to have been welcomed into the new Establishment without much suspicion or jealousy; but there seems to have been no such readiness to welcome the higher clergy into the new office of superintendent. In one instance, where Alexander Gordon, Bishop of Galloway, a member of the offensive Huntly family, professed to hold the office of superintendent, it was jealously and rigorously denied to him.[2]

The form of worship adopted by the new Church seems now to have found its way into ample use. It took shape in a printed liturgy or prayer-book. The

[1] Book of the Universal Kirk, i. 16.

[2] "It was answered by the Assembly, to the petition of Mr Alexander Gordon anent the superintendentship of Galloway, first, that they understood not how he hath any nomination or presentation, either by the Lords of Secret Counsell or province of Galloway; secondly, albeit he had presentation of the lords, yet he has not observed the order keeped in the election of superintendents, and therefore cannot acknowledge him for a superintendent lawfully called for the present, but offered unto him their aid and assistance, if the kirks of Galloway shall suit [sue for the appointment], and the lords present; and requireth that before he depart he subscribe the Book of Discipline. Farther, it was concluded that letters should be sent to the kirks of Galloway, to learn whether they required any superintendent or not, and whom they required."—Book of the Universal Kirk, i. 15.

critical examination of books of this period, and the comparison of one with another, has naturally become an interesting and affluent source of polemical discussion. It is, indeed, so ample and varied, that it is apt to appal the lay inquirer. The "Uses" in the old Church were multitudinous; and even when they were reduced to uniformity by the Council of Trent, the uniform system was so large and complicated, that to be familiar with it demanded a science in itself. After the Reformation it is needless to say that the divergences among the Protestant communities still supplied an ample variety of form and matter. Like many other portions of theological literature, this has been overloaded by laborious attempts to attach significance to distinctions of a merely casual character, and to attribute a deep mysterious meaning to terms which may have slipped from the author's pen as the nearest he could find to express some common thought.

In the old Romish Breviary, however, there may be marked off an original stock from which all have sprung. The Reformation did not spurn the real spirit of the old worship, even when it destroyed the shrines and abolished the hierarchy of the old Church. In amply supplying itself from the great fountain of the Bible, the framers of the different uses which were amalgamated into the Breviary had chosen the good way in which all must walk together.

The prayer-book of the Church of England at once attests this in the Latin titles of its services, which are the initial words of the old Latin version of the same service, as the "Venite, exultemus Domino," "Te Deum Laudamus," and the "Magnificat."

The leading principles on which in Scotland the

new Church stood apart from the old were,—the Pontificate as a divine hierarchy; the real presence in the elements; the spiritual efficacy of the sacraments; the power of absolution; purgatory, and the effective intercession of the saints. These left still a common stock in the great doctrines of Christianity over which it was unnecessary to quarrel. No doubt the Mass and the Mass-book or Missal were abused with vociferous eloquence by the Scots Reformers; but this was because the mass proper belonged to the celebration of the Eucharist, and thus embodied the abjured doctrines of the real presence and the spiritual efficacy of the sacrament. This hatred did not extend to the Breviary as the great storehouse of Christian devotion, and in its affluent resources the various Protestant communities could all find material for their more limited and simple worship.

When the Lords of the Congregation formed their great league in 1557, they "agreed upon two heads,—first, that the common prayer be read in the parish churches on the Sunday, with the lessons of the New and Old Testament, conform to the order of the Book of Common Prayer; and secondly, that doctrine, preaching, and interpretation of Scripture, be had and used privately in quiet houses until authority was obtained from the prince to grant public preaching by faithful and true ministers." The correspondence of the period leaves no doubt that this "Book of Common Prayer" was the English Liturgy of Edward VI.[1] That it meant, as some have thought, the book afterwards brought from Geneva, is at once contradicted by the mandate regarding "the lessons from

[1] Authorities referred to. Laing's Works of Knox, vi. 278.

the New and Old Testaments," since there are no "lessons" in the Geneva book. In the Book of Discipline of 1560 the English Liturgy is superseded by the adoption of "the Book of our Common Ordour, called the Ordour of Geneva," and popularly known as Knox's Liturgy.

The literary history of this Scottish prayer-book is very distinct, and at the same time curiously interesting. Among the many Protestants who were driven abroad by the persecutions in the reign of Mary Tudor, a considerable body congregated in Frankfurt-on-the-Main. It happened that they there met with a body of Huguenot refugees more numerous than themselves. The English refugees negotiated for a joint use of the church occupied by the French, and obtained what they desired under the following conditions, laid down by the municipal authorities of Frankfurt: "That they should have liberty to preach and administer the sacrament in that church which the Frenchmen had, the French one day and the English another day; and on Sunday to choose also their hours as they could agree among themselves; but it was with this commandment, that the English should not dissent from the Frenchmen in doctrine or ceremonies, lest they should thereby minister occasion of offence; and willed further, that before they entered their church they should approve and subscribe the same confession of faith that the Frenchmen had there presented."[1]

It fell to John Knox to be chief in giving effect to this concordat. In the year 1554 he was called to the ministry of the English congregation at Frankfurt. A committee was appointed to aid him in preparing a

[1] A Discourse of the Troubles at Frankfurt; Phœnix, ii. 96.

book of devotion suitable to the occasion. They held that by the spirit, at least, of the municipal direction, they were not bound to conform precisely with the French Calvinistic service, provided they abstained from aught that might prove offensive to the French Huguenots themselves. Hence was adjusted the little book afterwards used at Geneva, and called 'The Forme of Prayers and Ministration of the Sacraments, &c., used in the English Congregation at Geneva, and approved by the famous and godly learned man John Calvin.' This, slightly altered and somewhat enlarged, became the Book of Common Order in Scotland.

It had a brief and stormy career among those for whom it was first adjusted. From the beginning there was a minority who protested against any deviation from Church of England practice. These were, before the book was many months old, augmented by an auxiliary band who emigrated to Germany under the guidance of Dr Cox, who had been chaplain to King Edward. He got possession of the pulpit, and denounced all schism from the order of England. This of course called up Knox in retaliation: he denounced the service of England as containing many shreds of Popish idolatry, and showed it to be one of the causes of God's wrath towards England exhibited in the Marian persecution. Cox's party, however, had a weapon of offence which Knox's lacked. They gave forth the responses in a loud voice, a practice, as we shall see, inconsistent with the whole scheme of Calvinistic worship. Knox says of this, "They were admonished not to murmur aloud when the minister prayed; but they would not give place, but quarrelled,

and said they would do as they had done in England, and their Church should have an English face. The Lord grant it to have the face of Christ's Church, which is the only matter that I sought—God is my record; and therefore I would have had it agreeable in outward rites and ceremonies with Christian Churches Reformed."[1]

Knox, who had been victorious in more eminent contests, was beaten in this. He and his book were speedily driven from the field. But, through the influence of those who had used it at Frankfurt, it became known among English Protestants as a simple form of worship rendered in the English language; and it long exercised an influence even in England. The more moderate of the Puritans—those who were not hostile to all forms of worship—gave it their adherence. It was sometimes attached, as a becoming book of private devotions, to old English editions of the Bible. It now and then comes on the surface in the history of the early conflict between the Dissenters and the Church. The same year (1567) which saw the final establishment of the Protestants and their Book of Order, was conspicuous in England by the earliest trial for holding a Puritanical conventicle, one of the Acts of which was a protestation in favour of this same Book of Common Order.

This book might, in the language of the present day, be called a prayer-book less ritualistic in character than the English Common Prayer. It was a compromise between that and the prayer-book of the French Huguenots, with a decided preponderance of this latter element. In some instances where the

[1] Knox's Works, iv. 42.

divergence from the English form seems of small moment, it is yet essential, and stands as the representative of broad opinions. For instance, in the Scots, as in the French form, the prayers are not followed by any response from the congregation. The import of this distinction is, that the words used are communicated by the minister to the congregation, who listen to them, but are not bound to announce an instant adoption of them. Though there is a penitential confession of sins, there is nothing answering to what follows in the Common Prayer, "The absolution or remission of sins to be pronounced by the priest alone standing, the people still kneeling." This is one of several English usages which seem ingeniously devised to satisfy the views of persons standing far apart from each other in fundamental principle. The Ritualist sees in it an effective absolution; the Evangelical may find in it merely a wholesome reminiscence of those promises of Scripture which are held out to the sincerely penitent. The absolution was one of those features which Calvin desired to re-establish in this modified form, but without success. He had, indeed, in Geneva, to deal with a very peculiar morsel of the work of reformation. The process there was not the reforming or remodelling of existing things. Farrel had swept away every vestige of the Romish worship; and the thunder of heaven had completed his work by tossing down the cross on the top of the great church, which the hand of man could not without great cost and difficulty reach. It fell to Calvin to erect on this vacant arena a system of worship and discipline; but he did so under the eyes of men in jealous alarm of aught that reminded them of the

departed abominations. So it was that the constitution and worship of the Presbyterians of Scotland, and of the Huguenots of France, took their prevailing peculiarities from the small republic on the Rhone. In the end the form of absolution was tolerated among the Huguenot churches, but was not made a point of order.[1] The penitential confession itself is a literal translation from the French form.[2]

The Book of Common Order contains a Confession of Faith fundamentally different from that larger Confession separately adopted by the Parliament and the General Assembly. If we seek its origin, we shall find this in a mere recasting of those passages in Calvin's Catechism which contain a critical examination of the Apostles' Creed. The Scots Confession embodies that creed. The various articles are printed on the margin as a rubric, thus forming the texts on which the several divisions of the Confession are a commentary. Having absolutely no other sanction than the tradition of the Christian Church, the Apostles' Creed has not received much acceptance in Scotland.

[1] "That such churches as were accustomed on sacrament-days or other Sabbaths, after the confession of sins, to pronounce a general absolution, may, if they please, continue in it; but where this custom is not introduced, the synod adviseth of the churches not to admit it, because of the dangerous consequences that may ensue."—Synodicon, can. iv.

[2] "Seigneur Dieu, Père éternel et tout pouissant, nous confessons et recognoisons sans feintise devant ta saincte majesté, que nous sommes pouvres pécheurs, conceus et nais en iniquité et corruption, enclins à mal faire, inutiles à tout bien, et que de nostre vice nous transgressons sans fin et sans cesse tes saincts commandements. En quoy faisant nous acquerons par ton juste jugement ruine et perdition sur nous."—La Forme des Prières Ecclésiastiques, 1586.

"O Eternall God and most mercifull Father, we confesse and acknowledge here before Thy divine majestie that we are miserable sinners, conceaved and borne in sinne and iniquitie, so that in us there is no goodness. For the flesh evermore rebelleth against the spirite, whereby we continuallie transgresse Thine holy precepts and commandments, and so doe purchase to ourselves, through Thy just judgement, death and damnation."—Book of Common Order, 1591.

I am not aware, however, that any prohibition of its use is recorded. When, in the manner we shall afterwards see, a form of service ceased to be used, there was no rule for the use of the Creed; and it fell into disuse, and became virtually unknown among the worshippers in the Presbyterian churches in Scotland. It is curious to watch a tendency to this conclusion in the several editions of the Book of Common Order. The Confession of Faith came to be printed without the rubric—that is to say, the comment of the French and Scots divines was retained, but the articles on which it was a comment, being among the traditions of the Church of Rome, were dropped.[1]

The directions for the ministration of the Lord's Supper, as it is termed in the Book of Common

[1] It may be noted that the Creed, as printed in the rubric of the Confession, is exactly as it is in the Book of Common Prayer, except one word. Where the English book has "He rose again from *the dead*," the Scotch has "He rose again from *death*." Perhaps this is a mere slip. The English is the more accurate translation from the Breviary, which has "resurrexit a mortuis," answering to the original, ἐκ νεκρῶν. The French is "resuscité des morts."

Another point of minor criticism suggests itself. Since the Creed is in the Book of Common Order broken up into paragraphs, do these agree with the old divisions maintained in the traditions of the Church? As the reader probably knows, this tradition was, that at Pentecost the Creed was revealed to the assembled disciples, not entirely to all, but in twelve separate parts, each revealed to and announced by an individual apostle. The divisions do not agree; and the Calvinistic division is the more logical of the two, as will be seen in the opening passages:—

The Tradition.	The Book of Common Order.
1. "Petrus dixit, 'Credo in Deum Patrem Omnipotentem.'	1. "I believe in God the Father Almighty, Maker of heaven and earth;
2. "Joannes dixit, 'Creatorem cœli et terræ.'	2. "And in Jesus Christ, His only Son, our Lord."
3. "Jacobus dixit, 'Credo et in Iesum Christum, Filum ejus unicum, Dominum nostrum.'"—Sixti Senensi Bibliotheca Sancta, 49.	

Order, have much in common with the French form. They both materially differed from the English, in driving unworthy persons from participation in the ceremonial. The doctrine of the old Church dealt with the Eucharist as peculiarly appropriate to the sinful, being a means for their redemption. A little of this spirit entered into the Church of England, in the warning to those who have intimated an intention to communicate: "If any of those be an open and notorious evil liver, or have done any wrong to his neighbours by word or deed, so that the congregation be thereby offended, the curate, having knowledge thereof, shall call him, and advertise him, that in any wise he presume not to come to the Lord's table until he hath openly declared himself to have truly repented and amended his former naughty life," &c. But both in the French and the Scotch form there is a solemn exclusion of all unworthy persons from the table.[1] This exclusion, or "excommunication," as it was termed, is still conspicuous in the commemoration as practised in Scotland. It is called "the fencing of the tables;" and although no form is prescribed for this denunciatory process, it is said to be sometimes

1 DE LA CÈNE.

"Au nom et en l'authorité de nostre Seigneur Jesus Christ, j'excommune tous idolatres, blasphémateurs, contempteurs de Dieu, hérétiques, et toutes genes qui font sectes à part pour rompre l'unité de l'Eglise, tous perjures, tous ceux qui sont rebelles à pères et à mères et leurs supérieurs, tous seditieux, mutins, bateurs, noiseurs, adultères, paillards, larrons avaricieux, ravisseurs, yvrognes, gourmans, et tous ceux qui meinent vie scandaleuse."—Edition 1576, p. 23.

THE MINISTRATION OF THE LORD'S SUPPER.

"In the name and authority of the Eternal God, and of His Son Jesus Christ, I excommunicate from this table all blasphemers of God, all idolaters, all murtherers, all adulterers, all that be in malice or envie; all disobedient persons to father or mother, princes or magistrates, pastors or preachers; all theeves and disceivers of their neighbours; and, finallie, all such as live a life directly fighting against the will of God."—Edition 1591, p. 133.

all the more terrible that it is left to the indignation and eloquence of the presiding minister.

It is observable that the French form keeps clear of perilous matter by offering no definition of the object or the effect of participation in the elements. The direction simply is, that the minister sits down at the table with the others, and sees that they partake of the bread and wine with reverence and in due order, passages of Scripture being read and psalms sung during the partaking. The Book of Common Order goes a step farther towards the definition of an object. The direction is in these words: "The minister breaketh the bread and delivereth it to the people, who distribute and divide the same among themselves, according to our Saviour Christ's commandment, and likewise giveth the cup; during the which time some place of the Scripture is read which doth lively set forth the death of Christ, to the intent that our eyes and senses may not only be occupied in these outward signs of bread and wine, which are called the visible word, but that our hearts and minds also may be fully fixed in the contemplation of the Lord's death, which is by this holy sacrament represented." In the Confession of Faith adopted by the Estates and the Assembly there is a far more elaborate definition of the influence attributed by the Kirk to the act of communicating. It is a strange piece of reasoning, like the work of a strong intellect drawn in opposite directions. To one who is practically acquainted with modern Presbyterian doctrine and practice, and who is not deadened to the meaning of the Confession by hearing or reading it as a matter of routine, the explanation is curiously expressive.

It is like the writing of one who is under the spell of the old forms and beliefs, and endeavours to throw them off, and adopt the pure theory of commemoration, without entire success.[1]

[1] "We utterly damn the vanity of they that affirm sacraments to be nothing else but naked and bare signs. Na we assuredly believe that by baptism we are ingrafted in Christ Jesus, to be made partakers of His justice, by which our sins are covered and remitted; and also that in the Supper rightly used Christ Jesus is so joined with us that He becomes very nourishment and food of our souls. Not that we imagine any transubstantiation of bread in Christ's natural body, and of wine in His natural blood, as the Papists have perniciously taught and damnably believed; but this union and conjunction which we have with the body and blood of Christ Jesus in the right use of the sacraments is wrought by operation of the Holy Ghost, who by true faith carries us above all things that are visible, carnal, and worldly, and makes us to feed upon the body and blood of Christ Jesus, which was once broken and shed for us, which now is in the heaven, and appears in the presence of His Father for us: and yet, notwithstanding the far distance of place which is betwixt His body now glorified in the heaven, and us now mortal in this world, yet we most assuredly believe that the bread which we break is the communion of Christ's body, and the cup which we bless is the communion of His blood; so that we confess and undoubtedly believe that the faithful, in the right use of the Lord's table, do so eat the body and drink the blood of the Lord Jesus, that He remains in them and they in Him. Ye that are so made flesh of His flesh, and bane of His banes, that as the eternal Godhead has given to the flesh of Christ Jesus (which of the awin condition and nature was mortal and corruptible) life and immortality, so does Christ Jesus, His flesh and blood eaten and drunken by us, give unto us the same prerogatives; which albeit we confess are neither given unto us at that time only, neither yet be the proper power and virtue of the sacraments only, yet we affirm that the faithful, in the right use of the Lord's table, has conjunction with Christ Jesus, as the natural man cannot apprehend. Yea and farther we affirm, that albeit the faithful, oppressed by negligence and manly infirmity, does not profit so much as they would in the very instant action of the Supper, yet shall it after bring fruit forth, as lively seed sown in good ground; for the Holy Spirit, which can never be divided from the right institution of the Lord Jesus, will not frustrate the faithful of the fruit of that mystical action. But all this we say comes of true faith, which apprehends Christ Jesus, who only makes His sacraments effectual unto us; and therefore, whosoever slanders us, as that we affirmed or believed sacraments to be naked and bare signs, do injury unto us, and speaks against the manifest truth. But this

Among the Huguenots, the ordinances which bound the members of the congregation to the visible Church —baptism, marriage, and the Lord's Supper—were performed in the presence of the congregation assembled at public worship.[1]

In the Scots form of marriage it is directed that "the parties assemble at the beginning of the sermon;" and it seems to have become gradually the rule that marriages as well as baptisms were to be celebrated only on Sundays, at least there are instances where marriage on a "ferial" or ordinary week-day is dealt with as an irregularity.[2]

liberally and frankly we confess, that we make ane distinction betwixt Christ Jesus in His eternal substance, and betwixt the elements in the sacramental signs; so that we will neither worship the signs in place of that which is signified by them, neither yet do we despise and interpret them as unprofitable and vain, but do use them with all reverence, examining ourselves diligently before that so we do, because we are assured by the mouth of the apostle, that such as eat of that bread and drink of that cup unworthily, are guilty of the body and of the blood of Christ Jesus."

[1] "Il est à noter qu'on doit apporter les enfans pour baptiser, ou le Dimanche à l'heure du catéchisme, ou les autres jours, au sermon; afin que comme le baptisme est une réception solennelle en l'église, qu'il se face en la présence de l'assemblée."—Le Forme des Prières, edition 1576.

[2] Thus, on 30th December 1567, the minister of Ratho was suspended for celebrating a marriage to which, among more serious objections, there were, "without proclamation of banns or a testimonial thereof, and upon a ferial day, contrary to all order established in the Kirk."—Book of the Universal Kirk, i. 114. In 1572 Mr John Row was charged with "solemnising the bond of matrimony betwixt the Master of Craufurd and the Lord Drummond's daughter without proclamation of bands, and in like manner out of due time—viz., on a Thursday, at afternoon prayers."—Ibid., 256. On one occasion the question of the proper time for baptising came up in an odd manner, mixed with others of a more serious character. Among a set of perplexing queries to be solved by the Assembly, one is, "What punishment shall be for ane minister that baptises ane murther's bairn on ane Monday, not being ane day of preaching, and without repentance of the murtherer remaining at the king's horn?"—that is, a fugitive from justice. The answer is, "Deserved deposition."—Ibid., 345.

In the baptisms of the Scottish Church, in the sixteenth and the early part of the seventeenth century, there was a party who in later times dropped out of the ceremony—the Godfather. The instruction is, that "the infant to be baptised shall be brought to the church on the day appointed to common prayer and preaching, accompanied by the father and godfather; so that after the sermon, the child being presented to the minister, he demandeth this question, 'Do you here present this child to be baptised, earnestly desiring that he may be ingrafted in the mystical body of Christ?'" Perhaps we may take the spirit in which the Scots received the sponsorial institution, so well known still in England, from the following authorised injunction to the Reformed Church in France: "Forasmuch as we have no commandment from the Lord to take godfathers or godmothers, who may present our children unto baptism, there cannot be any particular canon made which shall bind persons to do it. But sith it is a very ancient custom, and introduced for a good end, to wit, to testify the sureties' faith and the baptism of the infant, and also for that they charge themselves with the care of educating the child in case it should be deprived of its parents by death; and for that it doth maintain a sweet communion among the faithful by a conjunction of friendship, they who will not observe it, but will by themselves present their own children, shall be earnestly entreated not to be contentious, but to conform unto the ancient and accustomed order, it being very good and profitable."[1]

In the many editions of the Book of Common Order there are variations, and in some there are

[1] Quick's Synodicon, i. xlv.

additions, which appear not to have been made under any ecclesiastical authority. Thus, as in the English prayer-book, there were hymns translated from the Breviary, having by way of distinctive title the first words of the Latin version. Among these was the "Song of Blessed Mary, called the Magnificat," the "Veni Creator," and the "Nunc Dimittis." There was a calendar, in which the several events of the history of the Virgin which had been selected by the old Church as the object of solemn ceremonies were reverently amended. There were a few saints' days, and some of the saints commemorated in them belonged to tradition, not to Scripture, as St Martin and St Lawrence. We shall again meet with the Book of Common Order when we come to the disputes which ushered in the great civil war of the seventeenth century.[1]

With an origin thus rooted in French soil, it could not be but that the Church of Scotland should bear many marks of its parentage. As we have seen, the organisation of the new Establishment was on the exact model of the Huguenot communities, with the one exception, that in the Superintendents the Scots made what some at least have deemed a nearer approach to a hier-

[1] I have not met in any copy of the French 'Forme des Prières Ecclésiastiques' with the commemoration of saints of the old calendar not belonging to the Biblical period, and all I have seen tends to the opinion that they were especially excluded. Their place, indeed, was otherwise occupied. In the edition of 1576 there are events of Scripture history, and also of history contemporary to the publication of the calendar. But the entries which appear especially to displace those of the translation-day of the medieval saints are such as these :—

"27 *May*.—Mourut Jean Calvin, homme de singulier savoir et grande piété.

"8 *Juillet*.—Jean Hus fut bruslé au Concile de Constance l'an 1415, pour maintenir la vérité de l'Eglise."

archy, with permanent division of ranks and duties. Some mere incidental points, already casually noticed, perhaps show relationship still more distinctly than those large fundamental features, which may be said to resemble each other because they represent eternal truth. Thus the very significant symbol afterwards adopted by the Church of Scotland, the burning bush —the bush which Moses beheld burning but unconsumed—was a favourite among the early Huguenots.[1]

The term Moderator was peculiar to the French Protestant Churches, as applied to the chairman or president selected by each ecclesiastical assembly or meeting, whether great or small. The term is familiar to every one in Scotland, as of time-honoured use for the same purpose. Any piece of business of the General Assembly and the other Presbyterian courts in Scotland is opened by an "overture," the direct descendant of a solemn form in the French Parliaments. On the occasion of the administration of the sacrament, there is to this day, in each of our Presbyterian communities, an address, which is called the "Action Sermon." The name stands by itself, unconnected with anything in our own language or customs that can explain it. Its origin will not easily occur except

[1] The editor of the Synodicon, after telling how the Piedmontese had for their common seal "a taper burning in a golden candlestick, scattering its glorious beams in a sable field of thick darkness," goes on to "another seal, as illustrious an hieroglyphic as the former, appertaining unto the national synods of those renowned and once flourishing, though now desolate, Reformed Churches of France, which was Moses' miraculous vision when he fed the flock under the mount of God—viz., a bramble-bush in a flaming fire, having that essential incommunicable name of God, Jehovah, engraven in its centre, and this motto, '*Comburo non consumor*,' in its circumference—'I burn, but am not consumed.' With this those venerable councils sealed all their letters and despatches."—Epistle Dedicatory.

to one familiar with the Huguenot prayer-books, in which he will find, occupying a similar position, the "Action des Graces," or thanksgiving.[1]

The title-page of the earlier editions carries the foreign origin of this liturgy on its face. For instance, the Edinburgh edition of 1565 has 'The Form of Prayers and Ministration of the Sacrament used in the English Church of Geneva, approved and received by the Church of Scotland.' In the editions a few years older, printed abroad, where this announcement of reception by the Church of Scotland stands, there are the words, "approved by the famous and godly learned man John Calvin." Ten years later the title varied to 'The Psalms of David in English Metre, with the Form of Prayers and Ministration of the Sacrament used in the Church of Scotland.' As the Psalms occupied by far the greater portion of the volume, it came to be popularly called the Psalm-book; and even in this small matter there was an assimilation to French practice, which gave the title 'Les Pseaumes de David, mes. en Rime François.' In the year 1564 we find an Act of Assembly in which "it was ordained that every minister, exhorter, and reader shall have one of the psalm-books lately printed in Edinburgh, and use the order contained therein in prayers, marriages, and ministration of the sacraments."[2]

[1] May the term have come into this country by a mere slip of the pen? An accident that frequently befalls translators who are not circumspect, is the rendering of a word by its sound instead of by its meaning. In the Book of Common Order there is an instruction that the minister "giveth thanks" according to a form founded on the French. At the conclusion, where one would expect to find a reference to the "thanksgiving" being ended, the words are, "The *action* thus ended, the people sing," &c.

[2] Book of the Universal Kirk (Bannatyne edition), i. 54. This order is not contained in the octavo edition.

This book came forth in many editions. The later of these vary from the earlier, chiefly in the removal of services applicable to events contemporary with the early issues, such as "a thanksgiving unto God after our deliverance from the tyranny of the Frenchmen, with prayers made for the continuance of the peace betwixt the realms of England and Scotland." Its formal name, as we have seen, was "The Book of Common Order," and this name among the Protestants of Scotland became the equivalent of "The Book of Common Prayer" among those of England. After the lapse of nearly a hundred years from the introduction of the Scots form, we shall again come across it in troublesome times, and find it dropping, almost unnoticed, out of existence, as the companion of the English prayer-book, when that was assailed and conquered by enemies. The Book of Common Order, meanwhile, had so unobtrusive an existence as the service-book of the Scottish Protestants, that references to it in the civil and even in the ecclesiastical history of the period are extremely rare.[1]

[1] Hence the following slight morsel of comparative criticism by two lay politicians has value from the scantiness of other notice. It arose out of the events to be presently told. While Queen Mary was detained at Bolton Castle in July 1568, some English statesmen seem to have yielded to the delusion that she was about to become an earnest member of the Church of England. At that time Sir Francis Knollys, Queen Elizabeth's vice-chamberlain, a stern servant of the English Crown, but courteous and kindly, had the chief responsibility about Queen Mary's disposal. Naturally it was of interest to him to know what truth was in the rumour that she was becoming attached to the English Common Prayer-book. Hence we have from him this account of a conversation with Lord Herries, Queen Mary's ambassador or advocate at the Court of Queen Elizabeth, and, it may be noted, a Protestant: "And touching the condition of this queen receiving of the form of common prayer after the manner of England, I said unto my Lord Herrys, that if he meant thereby to condemn the form and order of common prayer now used in Scotland, agree-

So it was that, by a strange yet distinct and traceable succession of events, it was the destiny of Scotland to be again influenced by France. And in some measure the new influence was stronger than the old. That had been political and superficial, but this was social and vital. A despotic Court, swarming with courtiers affluent and luxurious, had few points of sympathy for the Scots. The broken and persecuted Huguenots had claims on them of another kind; and they are not to be blamed for failing to see, as we in calmer times can from many incidents, that had the Huguenots been victorious, they would have been as bloody and tyrannical as their opponents. This common feeling with their brethren of Scotland cheered the hearts and strengthened the hands of the French Protestants, and it was often remarked by their enemies how evil an influence it had on the rebels in France to witness the success of their brother rebels in Scotland, and peruse their pestilent literature.

able with divers well-reformed churches in Germany, Switzerland, France, and in Savoy, and that withal he would reject and annihilate the Confession of Faith acknowledged in Scotland by Parliament, because there is no such Confession of Faith acknowledged in England, or that he meant to expel all the learned preachers of Scotland if they would not return back to receive and wear cornered caps and tippets with surplice and coopes, which they have left by order continually since their first receiving of the Gospel into that realm: then, howsoever he meant to further religion hereby, I said I thought and feared that he might so rather contend so far for the form and order of common prayer that he might bring the substance of religion in peril, and that he might so fight for the shadow and image of religion, that he might bring the body and truth in danger; whereunto he answered, that in cities and towns, where learned preachers remain, he allowed very well of the form and order of common prayer and preaching now used in Scotland; but in the countries, where learned men were lacking, he said the form of common prayer in England was better to be allowed, in his judgment, whereunto I agreed very well with him."—Anderson, iv. 110, 111.

The possession of a form of service was, as it happened, of essential use to the new Church in helping it to economise its limited ministering power. The First Book of Discipline decreed that "none ought to presume either to preach or yet to minister the sacraments" but those who were ordained ministers; but the same code made provision, that "to the churches where no ministers can be had presently, must be appointed the most apt men that distinctly can read the common prayers and the Scriptures, to exercise both themselves and the church till they grow to greater perfection."[1] A large and affluent congregation would have a reader to assist the minister; in other instances a group of parishes would each have a reader, while a minister presided over all, and visited each on occasion to preach and administer ecclesiastical rites. It appears that often some half-educated priest or friar of the old Church was content to earn a scanty living in the new as a "reader."[2] A well-informed writer says that "in 1567 there were about 289 ministers and 715 readers in the Church."[3]

As it was the object of the promoters of the Book of Common Order to preserve a ritual for the congregation, and yet to keep it absolutely clean from all those

[1] First Book of Discipline, iv. 1, 19.

[2] Sprott, introduction to the Book of Common Order, p. xxiii. This author says, "Some of the early session records at St Andrews mention the reception of many conforming priests." It may be noted that of the many editions of the Book of Common Order, that here referred to is the one to be consulted for historical purposes. Its title is, 'The Book of Common Order of the Church of Scotland, commonly known as John Knox's Liturgy, and the Directory for the Public Worship of God, agreed upon by the Assembly of Divines at Westminster; with Historical Introductions and Illustrative Notes by the Rev. George W. Sprott, B.A., and the Rev. Thomas Leishman, M.A. 1868.'

[3] Sprott, introduction to the Book of Common Order, p. xxiii.

doctrines and practices which their Church condemned, there were two matters demanding much nicety and skill in their handling. The one was the commemoration of the atonement or of the Last Supper, which was to be cleansed of the idolatry of the real presence; the other was the burial of the dead, where any admission of purgatory, or the possibility that there was still an opportunity of doing anything on earth that might be of service to the soul of the departed, must be shunned.[1] The commemoration of the Last Supper has already been discussed, and it will again come up when a proposal to supersede it became an element in a memorable contest. For the burial of the dead it was thought the safer course to avoid all form. In the book there is merely this instruction: "The corpse is reverently brought to the grave, accompanied with the congregation, without any further ceremonies; which being buried, the minister, if he be present and required, goeth to the church, if it be not far off, and maketh some comfortable exhortation to the people touching death and resurrection."

The First Book of Discipline tempers the abjuration of the offensive doctrines with a certain misgiving about the entire abandonment of ceremonial. It says, "Burial in all ages hath been holden in estimation

[1] A very instructive account of the feeling ever entertained by the thorough Presbyterian party on this point will be found in a pamphlet called 'Free Notes on the late Religious Celebration of the Funeral of her Royal Highness the Princess Charlotte of Wales. By Scoto Britannus. 1817.' This is attributed to Dr M'Crie; and to one familiar with his works internal evidence immediately confirms the imputation. It is thoroughly warmed with the primitive Presbyterian zeal ever burning within him, and is composed with a purity of style, and illustrated by an abundance of learning, not invariably found in attendance on that kind of zeal.

to signify that the same body that was committed to the earth should not utterly perish but should rise again? And the same we would have kept within this realm, provided that superstition, idolatry, and whatsoever hath proceeded of a false opinion, and for advantage' sake, may be avoided; as singing of mass, placebo, and dirige, and all other prayers over or for the dead, are not only superstitious and vain, but also are idolatry, and do repugne to the plain Scriptures of God." The conclusion is: "For avoiding all inconvenients, we judge it best that neither singing nor reading be at the burial; for albeit things sung and read may admonish some of the living to prepare themselves for death, yet shall some superstitious and ignorant persons ever think that the singing and reading of the living do and may profit the dead. And therefore we think most expedient that the dead be conveyed to the place of burial with some honest company of the Church, without either singing or reading—yea, without all kinds of ceremony heretofore used, other than that the dead be committed to the grave with such gravity and solemnity as those that be present may seem to fear the judgments of God, and to hate sin, which is the cause of death. We are not ignorant that some require ane sermon at the burial, or else some places of Scripture to be read, to put the living in mind that they are mortal, and that likewise they must die." But great caution is recommended, lest words be used that may "nourish superstition and a false opinion." And there is a special danger here, that "either shall the ministers for the most part be occupied in preaching funeral sermons, or else they shall have respect to persons—preaching

at the burial of the rich and honourable, but keeping silence when the poor or despised departeth."[1]

So far the Book of Discipline in the ordinary current editions. In one version, however, supposed to have been specially approved by Knox, there is added after the words "they must die," this passage: "And yet, notwithstanding, we are not so precise but that we are content that particular kirks use them in that behalf, with the consent of the ministry of the same, as they will answer to God and Assembly of the Universal Kirk gathered within the realm."[2] Here is a charitable opening left for that innate desire to which the funeral ceremonies and monumental edifices have testified over all the world—the desire to scatter affluent honour over the memory of the dead out of the overflowing hearts of their survivors. Whether under this sanction or not, incidents occur which show that funerals were accompanied by pomps and ceremonies, which were repressed when the sterner Presbyterians had their ascendancy in 1643; and there are traces of arrangements by some of the local judicatories of the Church for methodising a form of funeral service.[3]

[1] A Presbyterian divine, explaining the offices of his Church eighty years later, says of funeral sermons that they "do beget superstition and tend to flattery, make the Gospel to be preached with respect of persons, and are most pressed by such as do least regard sermons at other times." —Henderson's Government and Order of the Church of Scotland, 28.

[2] Laing's edition of Knox's Works, ii. 250.

[3] See "The Forme and Manner of Buriall usit in the Kirk of Montrois;" Wodrow Miscellany, 295. This service contains a dirge, sweet and solemn, from the Book of Godly and Spiritual Songs, beginning—

"Our brother let us put in grave,
And na doubt thereof let us have,
But he shall rise on doomesday,
And have immortal life for aye.

He is of earth, and of earth made,
And man return to earth through deid;
Syne rise shall frae the earth and ground
Quhen that the last trumpet shall sound."

Before leaving the Book of Common Order, it is proper to take note of an attempt to extend its benefits to the Highlanders. The merit of this attempt will perhaps be best understood by looking to the contemporary dealing of the English Government with Ireland, where the Celtic element eminently preponderated in the population, instead of being, as in Scotland, a poor fraction of it. It was not until the seventeenth century that any book of devotion suited for the use of the native Irish was published, and then —if such a boon could ever have been effective—it came too late. The "vulgar tongue" in which, under the Reformation policy, the Irish were to worship, was not more understood by them than the Chinese, and was only known to be the language of their detested Saxon oppressors. The Irish Uniformity Act of 1560 extended the English Common Prayer-book to Ireland, and ordained that all persons not having any reasonable excuse for absence should resort to the churches to hear it read. A strange exception in this Act is a signal instance of a law declaring its own futility. It is provided "that in every church or place where the common minister or priest hath not the use of the English tongue"—and that was everywhere beyond the English pale, and over much territory within it —the service might be in Latin.[1]

[1] "It shall be lawful for the same common minister or priest to say and use the matins, even-song, celebration of the Lord's Supper, and each of the sacraments, and all their common prayer, in the Latin tongue." Yet there is a touch of misgiving that there should be something better, if only the English Government could be at the trouble and expense of effecting it: "That if some good means were provided that they might use the prayer, service, and administration of the sacraments set out and established by this Act, in such language as they might best understand, the due honours of God should be thereby much advanced;

The "mere Irish" who knew no English may have picked up a little Latin from explanations made by the priests on passages in the Breviary. Even where they did not understand the meaning of the Latin, it would naturally have a devotional sound in their ears, though it is likely that whatever feeling of this kind arose would tend more towards the old Church than the new.

In secular matters the Celt of Scotland was scarce less harshly treated than the Celt of Ireland; but it is pleasant to find that he was not left in the same spiritual destitution, and that the Saxon Protestant tried in some measure to make him a sharer in the privileges of the new faith. In 1567 a prayer-book in Highland Gaelic was printed in Edinburgh. It was an adaptation of the Book of Common Order, by John Carsewell, Bishop of the Isles, being a translation of the book "adapted in some cases to the peculiar manners of the Highlanders." It has the distinction to be the earliest printed book in any of the Celtic languages.[1]

and for that also the same may not be in their native language, as well for difficulty to get it printed as that few in the whole realm can read the Irish letters."—Irish Stat., 2 Eliz. ch. ii. See a good account of the matter in King's Church History of Ireland, i. 755.

[1] Reid, Bibliotheca Scoto-Celtica, 43, 44. This author says, "This work is of uncommon rarity, and is the FIRST GAELIC BOOK PRINTED. Only two copies are known to exist." It was said that the two had been reduced to one, and that this one had been borrowed from the Duke of Argyle's library at Inverary by a Highland minister, who had dropped it out of his pocket, so that the book became extinct. Whether this be true or not, it was a great satisfaction to me to find Carsewell's Prayer-book in the ample list of liturgies in the catalogue of the British Museum. It is not complete, but it is believed that its imperfections might be supplied from a fragment in the library of Edinburgh College. The title-page is supplied in manuscript from the Bibliotheca of Reid, who says (p. 161), "When the copy belonging to the Duke of Argyle was in Edinburgh, in the possession of Mr M'Gibbon, Mr David Laing fortunately

If we ask whether, in the new form of religious service, there was anything to compensate for the influence on the popular mind of the ceremonials and æsthetic apparatus of the old Church, we must be content to find it in vocal music. The officiating clergyman might or might not be gifted with fiery eloquence, but it was always in the power of a musically-inclined congregation to enjoy the luxury of song in vocal praise. As the forms both of the constitution of the Church and its service were taken from the French, so this, so far as it was borrowed, was brought from Germany. The Germans and the Scots are both a people eminently musical, each with their own great and original works in that art. In its application to vocal praise, the Scots participated with the Germans in the grand hymnology of Luther and his followers, still so much sung and beloved in their fatherland. We have seen that Knox had a congregation in Frankfurt-on-the-Main; and there were many other Scots Protestants in different parts of Germany at the period when Reformation principles had spread in Scotland, but were neither established nor protected. Conspicuous among those who planted this Scoto-German school in their native land was a family of Wedderburns belonging to Dundee. It is true, that both the German and the Scots hymn-writers drew fundamentally on the great store of hymns, chiefly in monkish Latin, composed by the old Church, and that when translations are made from a dead language into two living languages, rising from a common Teutonic root, there will naturally be

took an exact copy of the title-page, from which we have the following: 'Foirmna nvrrnvidheadh agas freasdal na Sacramuinteadh, agas foirceadul an chreidimh christuidhe andso sios,' &c." The press-mark is C 36 a.

a similarity between the two, especially if both be literally exact. But an enthusiastic and accurate critical inquirer has shown coincidences of a kind only to be accounted for by the one translator having received at least an influence from the other.[1]

These godly songs and ballads, as they were called, would not in all things be to the mind of orthodox Presbyterians in the present day.[2] But there is a very conspicuous and far from reverential feature common to both the German and the Scotch versions. The old Church had a policy of securing the attachment of the most ignorant and brutal of the popu-

[1] 'The Wedderburns and their Work; or, The Sacred Poetry of the Scottish Reformation in its Historical Relation to that of Germany. By Alexander F. Mitchell, D.D., Professor of Hebrew, St Andrews. 1867.' Here is a specimen :—

GERMAN.	SCOTCH.
"Nun hörend zu, ihr Christen leut,	"All Christen men take tent and lier,
wie leyb vnd seel gegnander streyt :	How saull and body ar at wier,
Allhie auff erd in diser zeyt	Upon this eird baith lait and eir,
heb'n sie ein stettigs kriegen,	With cruell battell identlie,
keins mag vom andern fliehen."	And ane may nocht ane uther flie."

The help from the German will be more distinct in some specimens of macaronics, where there were only patches of Latin, and these had to be put together with vernacular words :—

GERMAN.	SCOTCH.
"In dulci jubilo, Nun singet und seyd froh,	"In dulci jubilo, Now let us sing with mirth and jo.
Unsers hertzen's wonne, liegt in præsepio,	Our heartis consolation lyes in principio,
Und leuchtet als die sonne, Matris in grœmio,	And schynes as the sunne matris in gremio.
Alpha es et Omega, Alpha es et Omega.	Alpha es et Omega, Alpha es et Omega.
O Jesu parvule, Nach dir ist mir so weh,	O Jesu parvule, I thrist sore efter Thee;
Tröst mir mein gemuthe, O puer optime."	Comfort my hart and minde, O puer optime."

[2] For instance, following the name of the Redeemer :—

"Next Him to luf His mother fair
With steadfast heart for ever mair,
She bore the birth freed us from care."

lace by countenancing and taking share in popular saturnalia, supposed in great measure to be of heathen origin. Such were the Mysteries, and the revolting festivals of the new year. Somewhat in imitation of this policy, besides the translations of the old hymns, it was attempted to subsidise the popular ballads and songs of the people to the purposes of devotion. That the national music of Scotland can be made as solemn as it is sweet, will become evident to any one who hears Tullochgorum, or any other riotous strathspey, slowly performed on the organ. But these inventors did not stop with the music. They used the words of the ballads with an application the converse of what is called travesty. What was of the rude and ribald character was parodied into the pious. We cannot speak with precision from the experience of the present day on the influence that certain agencies may have had three hundred years ago, but surely we may believe that religion lost more than it gained by this operation.[1] The

[1] Of the parodies here referred to, the following instances may suffice:—

"'Quho is at my windo? quho, quho?
Go from my windo, go, go!
Quho callis thair, sa lyke a strangair?
Go from my window, go!'

'Lord, I am heir, ane wretchit mortall,
That for Thy mercy dois cry and call
Unto Thé, my Lord celestiall.'"

Again—

"With huntis up, with huntis up,
It is now perfeit day;
Jesus our King is gane a-hunting,
Quha lykis to speid thay may.

Ane cursit fox lay hid in rox
This lang and mony ane day,
Devouring scheip, quhill he micht creip
Nane might him schaip away."

chief merit conceded to it in the present day is, that it has preserved some vestiges of old Scots music, showing that tunes now known and practised are older than the Reformation, and that others then popular have since been lost.

The few existing copies of the 'Godly Psalms and Spiritual Songs' have been treated with close and skilful criticism.[1] How many editions they may have appeared in is undecided. Old copies of the book are extremely rare, and the cause of the rarity evidently is, not because few copies were printed, but because the book was so popular and so extensively used that the copies of it were worn out. Its contents, however, achieved no permanent popularity. While they fell into oblivion, sacred music did not decrease. The Psalter or "Psalm-book" became the great treasury of vocal praise, and the musical genius of the religious community found sufficient occupation in adapting all

The cursed fox is of course the Church of Rome. The following is perhaps still a stronger specimen :—

"Johne, cum kis me now;
Johne, cum kis me now;
Johne, cum kis me by-and-by,
And make no moir adow.

The Lord thy God I am
That Johne does thé call.
Johne representit man
Be grace celestiall;
For Johne God's grace it is
(Quha list till expone the same).
Oh Johne, thou did amis
Quhen that thou loist this name."

[1] Some fragments of the godly songs were printed by Lord Hailes. They were reprinted more fully by Sir John Graham Dalzell. Whoever desires them in their most accurate form, with the fullest introduction to their literary history, will consult 'A Compendious Book of Psalms and Spiritual Songs, commonly known as the Gude and Godlie Ballads,' edited by David Laing, 1868.

the psalms to congregational use. They were adapted to "part-singing" or harmony.[1] This art was taught in the chief towns of Scotland in the "Sang Schule," an institution fitted to go home to the heart of the German both in name and purpose. We have an instance of the influence of this teaching in 1582, when John Durie, a popular minister, returning from banishment, went up Leith Walk in a procession of Edinburgh citizens, who, as we are told, sang the 124th Psalm "till heaven and earth resounded."[2]

Before returning from this ecclesiastical digression, to follow the course of political events, let us say a word or two on the places where the people worshipped. Throughout the latter half of the sixteenth century we find the churches breaking up into that condition of ruin which the early Reformers were reputed to have accomplished at once. To their leaders the objects of offence were those which partook in what they counted idolatry—everything connected with the mass and its transubstantiation; the crucifixes, images, and pictures which were used for breaking the second commandment. These things could not be destroyed by a rough mob without other parts of the edifice suffering. Buildings bearing the marks of mutilation and fracture are ever subject to disrespectful usage. There was no fund for the protection of the edifices, and the State left them to their fate.

Even in so early a voice of the new Church as the

[1] The division into the four parts—"tenor," "treble," "counter," and "bassus"—does not appear to have been printed in the Book of Common Order earlier than the year 1635; but it had then been long in use, the variations being marked off with the pen to save the cost of printing. See 'The Scottish Metrical Psalter,' by the Rev. Neil Livingston, 1864.

[2] Calderwood, iii. 346; Melville's Diary, 134.

First Book of Discipline, we find an exhortation in terms that imply great urgency and need of remedy: "Lest that the Word of God and ministration of the sacraments, by unseemliness of the place, come in contempt, of necessity it is that the churches and places where the people ought publicly to convene, be with expedition repaired, in doors, windows, thack, and with such preparations within as appertaineth as well to the majesty of the Word of God as to the ease and commodity of the people. And because we know the slothfulness of men in this behalf, and in all others which may not redound to their private commodity, strait charge and commandment must be given, that within a certain day the reparations must be begun, and within another day to be affixed by your honours that they be finished; penalties and sums of money must be enjoined, and, without pardon, taken from the contemners."[1]

The lead on the roofs of ecclesiastical buildings was coveted by the State for warlike purposes, and there was an excuse for removing it, as it was disappearing through private pillage, and had better be put to use than lost. In 1568 the lead on the Cathedral of Elgin was so removed "for the sustentation of the men at war," and the same fate befell St Machar's, in Aberdeen.[2] The clergy, instead of welcoming the adversity thus befalling the temples of the old worship, were loud in lamentations and reproaches, heard by the possessors of the ecclesiastical revenues with supreme indifference. The records of the various General Assemblies provide many testimonies of this sort; but

[1] Laing's edition of Knox's Works, ii. 252.

[2] Shaw's Province of Moray, 217; Privy Council Records.

perhaps more expressive than any of them is this record, from a sermon preached before the regent and nobility in 1572 by David Ferguson, minister of Dunfermline: "Now to speak of your temples, where the Word of God ought to be preached and the sacraments ministered. All men sees to what miserable ruin and decay they are come; yea, they are so profaned, that, in my conscience, if I had been brought up in Germany, or any other country where Christ is truly preached, and all things done decently and in order, according to God's Word, and had heard of that purity of religion that is among you, and for the love thereof had taken travail to visit this land, and there should have seen the foul deformity and desolation of your kirks and temples, which are mair like to sheep-cots than the houses of God,—I could not have judged that there had been any fear of God or right religion in the maist part of this realm." [1]

[1] Reprint, 73.

CHAPTER L.

Regency of Murray.

THE REGENT'S GOVERNMENT—ITS STRENGTH—ITS DIFFICULTIES—THE DEALING WITH THE MURDERERS OF THE KING—THE CHURCH AND THE HOLDERS OF ECCLESIASTICAL ESTATES—NEWS OF THE ESCAPE OF THE QUEEN—WHAT IS KNOWN OF HER CAPTIVITY—LOCHLEVEN CASTLE AND ITS INMATES—PROJECTS FOR ESCAPE—FINAL SUCCESS—FLIGHT TO HAMILTON—GATHERING THERE—THE REGENT AT GLASGOW—THE BATTLE OF LANGSIDE—FLIGHT TO DUMFRIESSHIRE—TO ENGLAND—THE PERPLEXITIES OF THE SITUATION—ENGLISH AND CONTINENTAL POLITICS—RESIDENCE OF MARY AT CARLISLE—HER BLANDISHMENTS—SEEKS A MEETING WITH ELIZABETH—REMOVAL TO BOLTON.

MEANWHILE the executive government was emphatically of that kind which it is usual for history to call "vigorous." The Border marauders had not felt so heavy a hand on them since the days of James IV.; but it was a hand guided by a wiser head, which sought to effect real order and obedience, instead of wasting strength in irritating petulance and unproductive vengeance. As Throckmorton said, "He seeks to imitate rather some which have led the people of Israel, than any captain of our age. As I can learn, he meaneth to use no dallying, but either he will have obedience for this young king of all Estates within this realm, or it shall cost him his life; and yet I see no disposition in him either to bereave the queen of her life, or to

keep her in perpetual prison. He is resolved to defend those lords and gentlemen who have taken this matter in hand, though all the princes in Christendom would band against them."[1]

The efforts to punish the subordinate actors in the king's murder were quickened and strengthened. On the 3d of January 1568, Dalgleish and Powrie, young Hay of Talla and John Hepburn, were hanged. They were desperate men who had set their lives upon a die. They could not possibly escape vengeance save through the ultimate triumph and irresistible supremacy of their master; but he was fleeing for his life, and the poor men felt the crushing pressure on them to be so absolute that they offered no defence or denial. One of them, John Hepburn, dropped some remarks, which are touching in themselves, and have an apt bearing on the tenor of events. He said, "Let na man do evil for counsel of great men or their masters, thinking they sall save them; for surely I thought that night that the deed was done, that although knowledge should have been gotten, na man durst have said it was evil done, seeing the handwrites [signatures to the band], and acknowledging the queen's mind thereto." And further, "In the Tolbooth he required John Brand, minister of the congregation, to pass to my Lord Lindsay, and say, 'My lord, heartfully I forgive your lordship, and also my lord regent, and all others, but especially them that betrayed me to you, as ye will answer before God in the latter day, to do your diligence to bring the rest who was the beginners of this wark to justice, as ye have done to me, for ye knaw it was not begun in my heid.'"[2]

[1] Stevenson's Selections, 282. [2] Anderson's Collections, ii. 160, 161.

This pointed at the one great blot in the regent's government. No doubt the victims were the practical men who had done the deed. Of those who had hands blackened with powder, and clothes torn with clambering over walls, justice had sought out all, from the great leader himself downwards. If there were others who had counselled and promoted the deed, the band which would have condemned them was destroyed. Yet all the world could point them out, and some of them were high in place and power. All this is indubitable, yet must it depend on the moral atmosphere of the time how heavy it is to weigh. It was an occasion when the question of power stood in the path before conscience and duty. To close at once with such men as Morton, Lethington, and Balfour, would not have been prompt administration of justice, but civil war. The task might have been undertaken by some fatalist who made no balance of means and ends, but went straight to his work, conscious of rectitude and confident of success. It might also have been undertaken by one less scrupulous than Murray, for the reward would have been brilliant. Any man with his pretensions, had he broken all the factions in Scotland, and governed without their support, must have taken the crown to himself as the trophy of his sword and of his bow, unless, indeed, some man still more moderate and scrupulous than it is easy to suppose Murray to have been. As matters stood, he was somewhat in the position of the diplomatist who has to bully a barbarous potentate for some act of tyranny; the diplomatist knows well what man of power commanded the deed, but he must be content to see it avenged on some poor underling who did as he was bidden.

Murray went far enough for his own safety towards raising hostility. There was a menace in his strength that made the unscrupulous uneasy. The Hamiltons saw in it a barrier to their prospects. The encouragement he gave the Protestant clergy to look to something from the ecclesiastical revenues sent a lively alarm to the hearts of many powerful men who had recently been enriched by happy accidents. It might be said that the nation was stagnating into a condition of quiet gloom, when all at once it was electrified by the news that Queen Mary had escaped from her prison, and was at Hamilton at the head of an army.

We have seen that she was conveyed to Lochleven Castle on the 17th of June 1567. She escaped on the 3d of May 1568, so that she had been a prisoner for a few days more than ten months. The nature of the illustrious captive's life on this island is hidden in mystery. We know nothing about it save in the few revelations which she herself was able to send past those who watched vigilantly over her. There were eager watchers and inquirers outside during her abode there. It may be said that the same eager curiosity about her prison life there has lived down to the present day, and all unsatisfied. In the character of what remains of Lochleven Castle there is the same almost provoking reticence. It is only like a hundred other old feudal houses in Scotland, in revealing little or nothing of the way of life of those by whom it was inhabited; but then no one cares to question the others, and their silence is of no moment. About this castle, however, the world could not be more inquisitive than it is, had it been a royal palace rich in historical associations, instead of the sordid ruin of a

country gentleman's house. For the thousands who visit it as a sort of shrine, the half-Highland lake and the green ruin on the island have their charms as a piece of landscape; but when we stand among the ruins, there is nothing to enlighten us but the common narrow square tower of Scotland, with a few fragments of minor buildings round it.

The square tower belongs to a period in which the baronial architecture of Scotland is signally inexpressive. Gothic decoration had gone, and the French decorations of the Renaissance had not yet replaced it in Scotland. One well accustomed to the old fortified houses of Scotland would say that this might have been built during any part of the hundred years of which one half was before and the other after Queen Mary entered it. On first sight it might be referred to the later half; but there is a feature available to take it back. On three of the angles there are machicolated circular projections, which might have belonged to turrets with spiral tops of the French kind, or might have been merely flanking projections or small bastions never roofed. It becomes clear on close inspection that they are of this kind, and that they naturally belong to the period earlier than the introduction of the turret.

The stranger at Lochleven is surprised to find that what is termed a castle has so little of the fortress in it; but in the sixteenth century to be on an island in an inland lake was to be strongly fortified. Lochleven Castle could have offered no resistance to the artillery even of the early half of the sixteenth century. Of the tower still extant, the lower floor under ground is vaulted, and so is the second. Other three floors have been of wood laid on wooden rafters.

Ambitious tourists who look at the narrow space within the four thick walls, have an opportunity for reflecting on the mutability of human things when they figure the mistress of the most splendid of European Courts in a splendid age doomed to abide in such a dwelling. But even on this point the ruins are true to their uncommunicative character. In fact we know no more from them of the method in which the captive was housed and tended than we would know if the island had been bare. It was because it was on an island, not because it was strongly built, that the abode of the Douglases was secure. The island may have been covered by any amount and kind of buildings of stone or even of wood. It is a vain task, therefore, to argue on the history of the captive's treatment from the aspect of the ruins of Lochleven Castle.[1]

[1] The author may be charged with a commission of the offence which he denounces, in saying so much about this old ruin and the revelations that may or may not be drawn from it. His defence is, that attempts have been made at considerable length to draw history out of these stones. It is necessary here either to accept the history so told, or to reject it; and a few words are required even to show that for such a history the material is insufficient. We know that in Scotland many islands in inland lakes were places of strength, yet few of them contain the remains of baronial buildings. Although meagre both in decorative and defensive architecture, Lochleven Castle is perhaps the most important remnant of a purely Scottish island-fortress. Its nearest rival is Loch-an-Eilan, near Kingussie, in Inverness-shire. Two other island-fortresses—Dune and Lochindorb—are of the architecture called Edwardian, and belong to the period of the English domination. On the island of Inchmahome, where Queen Mary in her infancy was placed for safety during the English invasion, the buildings were monastic, yet they were selected for their secureness. M. Lamartine thus cites the authority of one who, as he says, had visited Lochleven: "The sojourn at Lochleven, over which romance and poetry have shed their light, must be depicted by history only in its nakedness and horrors. The castle, or rather fortress, is a massive block of granite flanked by heavy towers, peopled by owls and bats, eternally bathed in mists, and defended by the waters of the lake."—Mary Stuart, by Alphonse de Lamartine, 73. The material of which the castle was built

The building is now dreary and comfortless in its age; and if that be a feature associated with the treatment of the captive, it is but just to remember that if old now it was once new. From what has just been said it must have been but recently built when Queen Mary lived in it, or in a building beside it, at a time when Lochleven Castle was the residence of a powerful baron and his wife. The conclusion of all is, that there is nothing in the conditions to justify the inference that the captive was to be sent thither as to a place of sordidness and severity, as well as of seclusion and security. In any stronghold not upon an island she must have been subject to more restraint; for it was not in Scotland, as afterwards in England, where she could go forth attended by a retinue, and even join the hunt. She was, however, in the most civilised district of Scotland, with the comforts and luxuries of the age close at hand. The three chief towns, Edinburgh, Glasgow, and Perth, were not far off. The Fifeshire seaports, then carrying on a brisk trade in wines and other French imports, were still nearer: the chief among them, Inverkeithing, lay distant but a moderate walk from Lochleven. Close by was a mountain district abounding in game. The lake supplied waterfowl, and its trouts are yet renowned among anglers as unmatched by any others in the British waters.

Her keeper, the widow Lady Douglas, by profession a Protestant, the mother of the illegitimate regent, might be supposed unlikely to show favour to the Popish woman who had inherited the crown of James

is perhaps of little moment; but if it be worth while being particular about it, it is also worth while being accurate. The stone is not granite. The district belongs to the freestone formation, and the castle was naturally built of the native stone.

V. The days were when she herself looked to be Queen of Scotland; and she saw a son arise to her who would have been the greatest king Scotland had seen since the days of Robert Bruce. By a succession of strange and criminal calamities, the actual office of King of Scots, though not its title, had fallen to that son, the offspring of her guilt or weakness. All these things might naturally accompany the story of a lovely victim to a cruel jaileress. There is no evidence, however, that the lady of Lochleven treated her prisoner harshly.

Much vigilance was necessary, however, and that could not be accomplished without giving annoyance and even pain.

The daughters of the house shared the prisoner's bed. To one who had enjoyed full command over the stately reserve of the Court of France, and the impregnable barrier of isolation which it had put at her disposal, this may have been a heavy grievance; it can be paralleled only by the sufferings of people accustomed to civilised refinement when their lot is cast among barbarians. If there be something in the arrangement that jars with the sense of the decorous and appropriate, it is not removed by remembering what the mother of these young women was to their bedfellow's father. But in defence of this, as well as of worse things, there was the hard logic of political necessity. We have the record of the grievance in a letter which, despite the vigilance of the sisters, she was able to write to her mother-in-law, Catherine of Medici, and to send by a trusty messenger who could tell more than the letter.[1] Except, indeed, in what

[1] Labanoff, ii. 64.

she herself revealed in her acts or her writings, the secret of her prison-house was well kept. In matter of authentic history it is almost an entire blank, although the rumours of the day, and the traditions invented and believed in later times, have thickly peopled it with incidents.

One of these stories imported that her last marriage was not unfruitful; that during her imprisonment she gave birth to a daughter, who was afterwards known as a member of a religious sisterhood in France, the house of Nôtre Dame of Soissons. Though this has been repeated in several shapes, the evidence on which they all rest is traced back to two rather inefficient sources. The one is a casual assertion by a French man of letters who was not born until more than half a century after the escape from Lochleven, so that his story is only to be held as a tradition of the seventeenth century.[1] The other item brought to strengthen this is an assertion by Throckmorton, how it was explained to him on behalf of Queen Mary, as her reason for refusing to divorce Bothwell, that she had expectation of offspring of her marriage with him, and she

[1] Following the narrative of the execution at Fotheringay is this passage: "Pour clorre l'histoire de Marie Stuart, après avoir dit qu'ell eut du Comte de Bothuel, son troisième mary, une fille qui fut Religieuse à N. Dame de Soissons; je remarqueray que les beaux esprits du temps de son premier veuvage firent deux Anagrammes sur son nom, au sujet de la mort du Roy François II., son mary, toutes deux très complettes; car dans le nom retourné de Marie Stuart, on trouve, *Tu te marieras*, ce qui arriva, et *Tu as martyre;* et cela ne fut encore que trop veritable."— Mémoires de Michel de Castelnau, additions, i. 648. Had the assertion been made by Castelnau himself, it would have stood on the authority of one who had the confidence of Queen Mary, and was indeed one of her safest friends; but it stands only on the authority of La Laboureur, the editor and continuer of Castelnau's Memoirs; and all the repetition, more or less positive, that has since been given to it, will not strengthen that frail foundation. See the references to these repetitions in Michel, Les Ecossais en France, ii. 66.

would not do that which might bring in question the legitimacy of her child. He does not tell in what shape this was communicated to him, whether it was by writing or by message. It comes mixed up with the frequent allusions to her frantic determination to adhere to the object of her passion, and it would be easy to suppose that friendly tongues would desire to attribute her determination to such a motive.[1] That a child should have been born to her in Lochleven, should have been removed to France, and should there have lived to maturity,—that these events should have occurred in that vigilant suspicious age without leaving a vestige of a whisper about them in the correspondence or memoirs of the time, is a thing hard to be believed.

We have seen that a queen's party had been gathering themselves together, and there were many conjectures and rumours as to the method in which they would strike a blow for her release. Besides the island containing the castle, there are others in Lochleven. On one stood the Monastery of St Serf, probably at that time newly deserted—an old house of the Culdees, in which, long subsequent to their day, Wyntoun

[1] The following is the passage: it will be observed that Throckmorton uses the verb "persuade" in the meaning in which we would now use "advise": "I have also persuaded her to conform herself to renounce Bothwell for her husband, and to be contented to suffer a divorce to pass betwixt them. She hath sent me word that she will in nowise consent unto it, but rather die, grounding herself upon this reason, that taking herself to be seven weeks gone with child, by renouncing Bothwell she should acknowledge herself to be with child of a bastard, and to have forfeited her honour, which she will not do to die for it."—Throckmorton to Queen Elizabeth, 18th July 1567; Stevenson's Selections, 221. This letter is also in Principal Robertson's Appendix, No. xxii. In a letter to Queen Elizabeth, 28th January 1569, Mary says, "Considérez je suis mère et d'un seul enfant."—Labanoff, ii. 288. She had here no motive to commit herself to such an assertion, save to give a touch of pathos to her pleading.

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wrote his Chronicle. It was supposed that if her keepers could be wiled to let her join a hawking party there, it would be easy for a force with small boats, borne by them to the loch, to carry her off. A bolder design was to bring overland upon waggons from the Firth of Forth vessels sufficient to carry a party to storm the castle. She owed more, however, to the active employment of her own subtle apparatus of fascination among her enemies than to the heroic devotion of her true knights. The rumours of the time are full of uneasy suspicions concerning the fall of one after another of those about her under the witchery of her blandishments. Those that might be deemed farthest removed from doubt were not exempt from it, as, for instance, the old Lady Douglas herself. It is certain that of her family circle one at least was enslaved—her son, George Douglas. What hopes she may have allured him to entertain cannot be known, but the gossip of the day raised them to a dizzy height.[1] Then imagination had been so heated by the strange events passing before men's eyes, that a new romance of love and crime was sketched. It had a long vitality. A century afterwards, a certain bold Presbyterian divine, named

[1] Sir William Drury, writing to Cecil on 3d April, and telling what he can gather about a second interview between Murray and the captive, says: "At the first she burdened him with the rigour that was used unto her in this last Parliament; and he answered that he and the rest of the nobility could do nothing less for their own surety, in respect they had enterprised to put her into captivity. From that she entered into another purpose, being marriage, praying she might have a husband, and named one to her liking—George Douglas, brother to the Laird of Lochleven—unto which the earl replied that he was over-mean a marriage for her grace."—Keith, ii. 789. This, like many other passages in the letters of the day, can only be counted a morsel of current rumour.

Robert Douglas, served as chaplain to the Scots troops in the army of Gustavus Adolphus. A mystery hung over his birth and origin, but he was believed to be the grandson of George Douglas and Mary Queen of Scots.[1]

All now really known of the relations of these two while they were within the castle is, that the enslavement of Douglas was so conspicuous as to make his removal necessary. He thus brought his knowledge of affairs within to the aid of those who were laying plans for a rescue from without. It came to the ears of Sir William Drury, while he commanded the garrison at Berwick, that with the aid of Douglas an attempt to escape had been all but successful on the 25th of March. Drury's story has in later times been told in many shapes, all competing with each other in giving a tone of picturesqueness to facts held as undoubted. The only fact we know, however, is that Drury, greedy of every morsel of news from Lochleven that had a chance of being true, thought this worthy of being retailed to Cecil. Hence this only fact cannot be so well told in any other way as in its own words, which make a very clear story :—

"Upon the 25th of the last she enterprised an escape, and was the rather nearer effect through her accustomed long lying in bed all the morning. The manner of it was thus: There cometh in to her laundress early, as at other times, before she was

[1] Wodrow Analecta, i. 166. Were it worth while, it could be shown that between this tradition and that about Bothwell's offspring, the establishment of the truth of one must of necessity establish the falsity of the other. George Douglas must have been removed on account of his infatuation about the time when the dates would show that Bothwell's daughter was born.

wanted; and the queen, according to such a secret practice, putteth on her the weid of the laundress, and so, with the fardel of clothes, and her muffler upon her face, passeth out, and entereth the boat to pass the loch; which after some space, one of them that rowed said, merrily, 'Let us see what manner of dame this is,' and therewith offered to pull down her muffler, which to defend she put up her hands, which they spied to be very fair and white; wherewith they entered into suspicion whom she was, beginning to wonder at her enterprise. Whereat she was little dismayed, but charged them, upon danger of their lives, to row her over to the shore; which they nothing regarded, but eftsoons rowed her back again, promising her that it should be secreted, and especially from the lord of the house under whose guard she lieth. It seemeth she knew her refuge, and where to have found it if she had once landed; for there did and yet do linger at a little village called Kinross, hard at the loch-side, the same George Douglas, one Sempil and one Beaton—the which two were some time her trusty servants, and, as yet appeareth, they mind her no less affection." [1]

George Douglas had left behind him in the castle a trusty assistant. He has been sometimes called "the little Douglas," sometimes "Willy Douglas," or, as Mary wrote it in her French manner, "Volly Douglas." Whether he was of kin to the Lochleven family is not known. He was only eighteen years old. If his youth exempted him from the usual precautions and suspicions, a great blunder was committed; for he was precisely at the age when feats such as his are achieved

[1] Keith, ii. 790.

with greatest facility.[1] He managed, unnoticed, to get possession of the chief keys, after the castle had been closed for the night. He then escorted the queen through the gates, locking them as he passed each. He seized one of the boats always at hand, and, as it would appear, had disabled the others. When she touched the shore, she found her lover George Douglas, her faithful follower the Lord Seton, and a few others. All rapidly mounted and rode off. Their first point was the Castle of Niddry, near Linlithgow, belonging to Seton. The distance is, in a straight line, about twenty miles; and what it proved to the riders must have depended on the point at which they were able to cross the Firth. From Niddry she sent a messenger to the Court of England to ask assistance. If he were unsuccessful, he was to go on to Paris and ask it there. Next day the number of followers increased, and all

[1] There is evidence that she remembered Willy Douglas, and showed a keen interest in his destiny at a critical juncture to her own. In one of those letters of instruction to her commissioners in England, in which she is wavering and incoherent about the accusations brought against her, she turns suddenly to a rumour that he had been "tint," or lost, after getting a passport from Queen Elizabeth. She vehemently suspects that her rebel subjects have done him wrong, and implores her sister queen to see to his safety, and "that she suffer him not to be treated in that manner in her realm, so near her Court, being under her protection,—wha set us to libertie and saiffit our life, doing the act of ane venturous and faithful subject to his sovereign and natural princess." She expresses uneasiness about the threats of a certain James Drysdale, a retainer of the family of Lochleven, who "being evil content of the good service whilk the said William did unto us, said, in presence of some of our servants, that if ever he met with him he should put his hands in his heart-blood, whatever might follow thereupon; and as to us, he should give us to the heart with ane whinger; whereupon ye shall solicit our good sister that the said Drysdale be made fast, in consideration of the premises—he knows what is become of the said William." —Labanoff, ii. 264. This will recall some incidents in the 'Abbot,' and show what suggested them to Scott.

rode to Hamilton Palace, where they might be considered safe from any immediate risk of attack.

An event like this has ever been known in history as the most potent stimulant of a languid party. No summons of array could have carried to every partisan with such instantaneous velocity the command to rise and arm. So speedily did the adherents gather, that their concentration seemed not merely the assembling of a party, but the reaction of a people. Among the chiefs, besides Seton and the Hamiltons, were Herries, Somerville, Argyle, Cassilis, Fleming, Ross, Eglinton, and Rothes. They had soon around them six thousand men in fighting array. Hamilton Palace had the aspect of a Court well guarded by troops. The group received lustre from the presence of De Baumont, the French ambassador. He had been sent as a person of higher distinction than Lignerolles, and therefore more likely to be well received. He made no better speed with the regency. They refused to give him access to the queen; but now he was happy in attending her without their permission.

Of what passed at Hamilton during the short busy period now begun, many things have unfortunately found their way into history which have no contemporary support.

The opportunity was taken to revoke the queen's abdication, with all the business that had followed upon it. As it happened, all that was thus done at Hamilton passed away in empty words; but had the end been otherwise, the proceedings there would have resolved themselves into formal documents, declaring the nullity of the abdication on the part of the queen, and giving the sanction of her assembled retainers as

that of a Parliament, revoking the Acts of the Parliament which had met in January, and pronouncing it an illegal assemblage.

We know farther that two messengers or ambassadors were sent southwards—one to represent Queen Mary at the Court of England, the other to pass through England to France, and there solicit succour to her cause. Murray was then at Glasgow; and we find Cecil receiving information that, immediately on the arrival of the queen and her party, a message was sent to him requiring him to resign his authority to his lawful sovereign, but at the same time informing him that the past would be forgotten, and all who had offended against her would be pardoned. Murray, it appears, sent a message to ascertain whether this proposal really had been authorised by his sister; whether that he had actual doubts on the matter, or merely desired to gain time.[1] His action, however, was prompt. On the day of the arrival at Hamilton, the 3d of May, a proclamation was issued, calling on all the feudatories of the Crown and others to meet him at Glasgow, armed and accoutred according to their feudal duty, stating as a reason that their sovereign's mother had escaped and gathered together certain of his liege subjects at Hamilton; "for what purpose it is uncertain, but, as is supposed, by the convoy and counsel of wicked persons, enemies to his highness and his authority, and all quietness within this realm.[2] He apprehended and imprisoned a pursuivant who came to Glasgow to proclaim the queen, and sent to Stirling for cannon.[3]

[1] Sir William Drury to Cecil, 7th May 1568; Keith, ii. 804.
[2] Keith, Appendix, No. xxvi. [3] Drury, *ut sup.*

Murray's sojourn in Glasgow was for the purpose of presiding at a session of justiciary for the trial of criminals. He had adopted it as a policy of his rigid government to attend the courts and give his high countenance to their administration of justice. In the military sense he was unprotected, and by a dash at Glasgow—only ten miles distant from Hamilton—the regent, and probably a few other persons of importance, might have been easily seized. Had there been any spirit of reaction throughout the country in favour of Mary, a blow that would have at once roused it was the obvious alternative; but the policy adopted—and it seems to have been the only tenable one—was to hold out until assistance came from England or France. In the mean time the group of adherents daily increased. Following up the peculiar national practice, of which we have seen so many instances, they bound themselves to co-operation and support by a bond or band. This document was signed on the 8th of May by nine titular bishops of the old Church, by eighteen lords of Parliament, and by a large body of minor barons and landowners. The bond was in this case peculiar for the earnest terms in which it stipulates that the parties to it shall abandon or compromise their separate objects of contention, and unite in the common cause.[1] In fact, in that assemblage, which appeared to be a compact body of loyal enthusiasts, there was a large element of disunity, or at least of inertness. The Hamiltons, who seemed its soul and centre, were really in that condition which is the most fatal to the achievement of any bold stroke—they had no direct object to strike

[1] See the bond in Keith, ii. 807.

for. Whatever ended in a firm and permanent government was inimical to their interests. The young king, with Murray as regent, was not a satisfactory prospect; but the re-establishment of the queen was little better. Thus there was a partial paralysis at the head, and there was little of capacity among the more eminent followers to redeem this loss.[1]

There was one place where the escape and the gathering at Hamilton were hailed with great joy —the Court of Queen Elizabeth. The course to be taken, after Throckmorton returned baffled and almost insulted, had reached a climax of difficulties, and now all of them seemed to be solved by the propitious event. It happened that on the 3d of May, the day after the escape, but before it could have been known

[1] Throckmorton, in a letter to Cecil of 20th August 1567—the same in which he describes the aim, purposes, and resources of the regent—gives us this animated sketch of some members of the other party:—

"As for the Hamiltons and their faction, their conditions be such, their behaviour so inordinate, the most of them so unable, their living so vicious, their fidelity so tickle, their party so weak, as I count it lost whatsoever is bestowed upon them. Shortly you are like to have with you an handsome young man of that surname, named John Hamilton, to procure to set you on fire to get some money amongst them to countenance their doings, which serve little for our purpose. The Lord Herries is the cunning horse-leech, and the wisest of the whole faction; but, as the Queen of Scotland saith of him, there is nobody can be sure of him: he taketh pleasure to bear all the world in hand. We have good occasion to be well ware of him. Sir, you remember how he handled us when he delivered Dumfries, Caerlaveroc, and the Harmitage unto our hands—he made us believe all should be ours to the Forth; and when we trusted him best, how he helped to chase us away—I am sure you have not forgotten. Here, amongst his own countrymen, he is noted to be the most cautious man of his nation. It may like you to remember he suffered his own hostages, the hostages of the Lairds of Lochinvar and Garlies, his next neighbours and friends, to be hanged for promise broken by him. This much I speak of him because he is the likelyest and most dangerous man to enchant you."—Stevenson's Selections, 282. John Hamilton, the "handsome young man," is perhaps the adventurous man already mentioned, p. 42.

in London, Cecil had drawn up a sketch of the proper course to be taken by the English Government. It bears in its extreme brevity and distinctness the sense of difficulties that have reached a crisis, and must be conquered by prompt action. It starts with the text that—

"If the French power restore the Queen of Scots, then shall Scotland be more at commandment of the French, and especially of the house of Guise, than ever it was." Thus will England again have for its closest neighbour a kingdom where Popery is the established religion, and the government policy is dictated from France. And the danger of such a consummation is not merely from without. It will stir the adherents of the old religion in England, "whereof it is to be feared that the number is greater than were meet to be known." The remedy is for Elizabeth frankly and effectively to take into her own hand the restoration of Queen Mary, stipulating that no French force is to be permitted to co-operate in the service; and this is followed by practical suggestions for the intercepting of any armament sent from France. One passage is intentionally mysterious, and tempts to grave speculations as to something understood but not expressed: "If neither the Queen of Scots will forbear to take the aid of France, nor France forbear to give it, then it is manifest what were the speedy way to remedy the whole matter, both to relieve the Queen of Scots, and make quietness in Scotland."

The last item in this State paper recalls the spirit of events long past: "Note, it belongeth of very right to the crown of England to give order as to dissensions

moved for the crown of Scotland."[1] This was for home consideration, and not to find its way into the diplomatic correspondence with Scotland. It recalled the old claim of superiority. In fact every member of the English Government believed that there lay among the records in the Tower unquestionable evidence of the feudal vassalage of Scotland; and this belief ever influenced the policy of England, though it was not always convenient to reveal it to the other party.

There seems to have been no hesitation about the course to be adopted after the escape. The heavy task of bringing the Scots to a sense of their duty was greatly lightened, and France must be anticipated in its fulfilment. Thomas Leighton was sent as messenger or ambassador to Queen Mary, with full and hearty instructions. If Queen Mary would accept of her sister's intervention, and agree to be guided by her, without seeking assistance from any foreign power, "she shall then be assured that we will have the principal regard to her state, so as her subjects may be reduced to acknowledge their duties without shedding of blood or trouble of her realm; and if they will not yield to reason by treaty or persuasion, we will give to her such aid as shall be requisite to compel them." There are some persuasive reasons given why the Queen of Scots should concur in the conclusion, that of all the potentates of Europe her neighbour the Queen of England is the one to whom it must naturally and justly fall to interpose, and bring the troubles of Scotland to a happy end; but no hint is dropped about the claim of homage.[2]

[1] Stevenson's Selections, 309.

[2] See the instructions in Keith, ii. 801. It may be noted that English

The bearer of these instructions did not find the queen to whom he was accredited. Her followers naturally looked around for some stronger position than Hamilton. Dunbar Castle had been acquired by the regent, and the queen's party attempted to regain it, but failed. Dumbarton, held by the Lord Fleming, was the next recourse. It involved a march close by Glasgow; but as the queen's force was the larger of the two, it was resolved to take this risk. The Hamiltons have been blamed for recommending it with a treacherous purpose. It was a critical moment for the regent, but he decided that the best policy was to fight.

The queen's force was estimated at 6000 men, the other at 4500. But Murray had a great preponderance of military capacity. He was himself a tried soldier in the home wars, and had other such to assist him, as Morton, Semple, Home, and Lindsay; further, he had Kirkcaldy of Grange, a leader of European renown, who had fought both at home and abroad. To him the regent confided duties like those of a modern aide-de-camp, with a wider discretion to act on his own judgment. On the 13th of May the queen's army began to march along the south bank of the Clyde towards Dumbarton. On a height about two miles southward from Glasgow stood, and still stands, the village of Langside. A sight of this village, on a stroll from Glasgow, shows that in the question of forcing a passage from Hamilton to Dumbarton, the critical struggle must be here. It seems to have been then,

statesmen were not unanimous in counting the escape a propitious event. Throckmorton especially, who knew Scotland, augured ill of it."—See correspondence; Teulet, ii. 204 *et seq.*

as now, a cluster of houses on either side of the main road where it crosses a hill. We may at once judge that the queen was ill supported by military capacity when the post was not seized and held before she began her journey.

When it was seen from Glasgow, that without any preparation the queen's party were to pass through the village by the highroad, the tactic of the day was instantly chosen. Kirkcaldy, who commanded the horse, sent two hundred troopers, each with a marksman behind him, through the river. There was a race for this critical spot; but the marksmen gained, and were quickly posted among the houses and behind the walls and fences. The queen's troops, commanded by Argyle, formed on a small hill towards the east of the village. They had with them sixteen cannon; but these seem to have played to no effect, since they could do little harm to the marksmen under cover, and could not reach the main force of the regent's party, which had been drawn up westward of the village. It was determined that the vanguard, led by Lord Arbroath, should try to storm the village and force a passage. The heavy-armed men in the front rank were met by a like body from the regent's army, and a scene characteristic of the warfare of the age followed. The tactic that the game of war is gained by rendering the warrior impregnable in an iron case had reached the height of its completeness and absurdity, and was to give place to the reactionary theory that the first object of all the apparatus of war is the destruction of the enemy. Each line of spears finally stuck in the angles and joints of the mail of the opposite rank, and the battle was a mere trial of supe-

rior weight and pressure. Thus across the path were two walls of iron, with human beings enclosed in each, striving in vain at motion and effective action. They not only could not assail each other, but were a barrier preventing the residue of each army from joining battle. An eyewitness records the frantic efforts of those behind to assail their enemy with broken weapons, stones, and other hand-missiles, and describes how some of these fell and lay on the crossed spears as on a platform.[1] While those behind had no better occupation than this, marks of unsteadiness were observed by the regent's force among those on the queen's side, and Grange charging them, they broke and fled. "There were not many horsemen," says the same eyewitness, "til pursue after them, and the regent cried to save and not slay; and Grange was never cruel, so that there were but a few slain and tain."[2] It was said that three hundred were killed on the losing side, while the other only lost one man. The affair lasted but for three-fourths of an hour. In the number engaged, and the nature of the contest, it was of the character of a mere skirmish; but the conditions in which it was fought rendered it a decisive battle. It settled the fate of Scotland, affected the future of England, and had its influence over all Europe.

The queen, when she saw the fate of the day, galloped off frantically. A second time the exciting

[1] The order on the regent's side—not easily interpreted with certainty—was "to let the adversaries lay down first their spears, to bear up theirs; whilk spears were sa thick fixed in others' jacks, that some of the flacons, pistolls, and great staves that were thrown by them that were behind, might be seen lying upon the spears."—Sir James Melville's Memoirs.

[2] Ibid., 202.

events of which she was the centre had broken in upon her self-command. She fled from her friends as well as her enemies so heedlessly, leaving all behind, that it is impossible to identify the course she took; and there are doubts about the place where she first found refuge. She is generally said to have ridden straight to Dundrennan Abbey; but that is upwards of a hundred miles from Langside.[1] The author of the Memoirs of Lord Herries says she was accompanied by himself, his son, Lord Livingston, Lord Fleming, George Douglas, and Willy, the hero of the escape, and that "she rode all night, and did not rest until she came to the Sanquhar. From thence she went to Terregles, the Lord Herries's house, where she rested some few days."[2] She said in her appeal to Queen Elizabeth that she rode sixty miles on the first day of her flight; and allowing for indirect roads, it is easy to suppose the journey from Glasgow to Sanquhar prolonged to that distance, according to modern measurement. The journey onwards to Terregles would add other thirty miles at least. It must have been to this journey that she referred, though the context makes her speak of England, in that letter, full of sorrows, to her uncle the cardinal, in which she says she had suffered hunger, cold, and fear; had fled, she knew not whither, fourscore and twelve miles across the country, without once alighting; had slept "sur la dure;" had to drink sour milk, and feed on oaten meal; and had been three nights like the owls.[3] She resolved to pass over to England. Whether this was

[1] In Labanoff's Collection there is a letter to Queen Elizabeth dated "De Dundrennan, 15 May 1568" (ii. 71); but it is taken from a printed collection of the seventeenth century, and its authority may be doubted.

[2] P. 103. [3] Labanoff, ii. 118.

under or against the advice she received, or whether she received any, cannot be determined. Herries, we know, was with her; for he wrote, announcing her intention, to the deputy-captain of Carlisle, desiring to know whether, if the Queen of Scots might seek refuge in England, she could safely go to that fortress. The astounded deputy, explaining that his principal was at Court, answered that this was too high a question for him to determine, but he would send first to Court for instructions; and if the queen came, he would meet her, and protect her until he received further instructions from Court. But before even the deputy's provisional answer could be received she had gone. On the 16th she embarked in an open fishing-boat, with Herries and some eighteen or twenty other "persons"—they are not called attendants—and landed on the same day at Workington, in Cumberland.[1]

Much eloquence has been expended in denouncing this flight into England as an act of consummate folly. But it was one of those occasions in which reasoning plays no part. It was the occasion of a hunted creature seeking immediate safety, and finding it at the nearest available point without any weighing of future results. A common impression has found its way into history, that there was a popular reaction in her favour; but this lacks evidence. Her flight, both in its first stage from Lochleven to Hamilton, and thence to the Solway, was in its character the flight of one ever surrounded by enemies. There was no refuge save where the feudal influence of her attendant Herries procured it. No doubt the news of her escape gave a powerful impulse to her friends; but it does not fol-

[1] Cecil's Narrative; Anderson, iv. 1.

low that it converted her enemies. It has been said, and repeated in later histories, that many passed over from the regent's to the queen's party while they were gathering round Hamilton; but we have no contemporary authority naming those who did so. We have the names of the "nine earls, nine bishops, eighteen lords, and others," including about a hundred lairds or lesser barons, who signed the "band" for the queen at Hamilton; and if there were signal deserters among them, they might be identified. All the bishops are on the list except some who had gone abroad, and the Bishop of Orkney, who had become Protestant. They were in their natural place as the spiritual champions of the holy Catholic Church. Among these the only one requiring to be specially accounted for is the Bishop of Galloway, who professed to join the new Church, but did not receive so welcome a reception within it as he desired.[1] Among the lords, the name that one would least expect to find in such a group is that of Argyle, familiar in association and co-operation with Murray, Morton, and Lethington; but he had parted company with his allies on the question of the queen's imprisonment. Others—such as Cassilis, Boyd, Eglinton, Montrose, and Caithness—are to be found among those who united to release the queen from Bothwell, and bring the murderers of her husband to justice; but the deposition and imprisonment of the queen, whether secretly contemplated or not, were not then among the projects openly avowed.[2]

[1] See above, p. 60.

[2] The leading parties to the band for the queen, besides the Hamiltons, were the Lords of Argyle, Huntly, Eglinton, Seton, Crawford, Cassilis, Rothes, Montrose, Sutherland, Errol, Fleming, Livingston,

On the prevailing powers of Scotland she had no more hold than at the time when it was hard work for the more moderate among them to save her life. That was a policy not to be repeated. They thought they had her securely in bonds both moral and practical; but she had burst through all, and proved that there was no safety to her enemies while she lived. She had taken that awful position in which she must crush her enemies or they must crush her. When her friends gathered round her at Hamilton, her chance lay in holding out until succour came from England—still better should it come from France. But as the game had gone, there was nothing for her in Scotland but an ignominious death. She had reason to expect a good reception from Queen Elizabeth, and had she entered English soil in a different fashion, her expectations might have had a secure foundation. It was among the instructions to the messenger whom Mary never received, that he should convey to Murray and his friends a request, approaching in its terms to a command, that both parties should be "advised and ruled" by her "in all matters stirred up betwixt the queen and them;" and to tell both parties that in the mean time she thought good "that all force do cease on both parts, and no new collection of power." With these conditions accepted, Queen Mary might have been welcome in England as a refugee seeking safety until her sister had established an armed force in Scotland sufficient to carry out the arrangement that seemed good to her.

Boyd, Somerville, Herries, Ross, Ogilvie, Oliphant, Borthwick, Sanquhar, Yester, Drummond, Elphinston, and Sinclair, with the Lairds of Lochinvar, Johnston, Wemyss, Dalhousie, Fernielhurst, Closeburn, Traquair, Balweary, Clackmannan, Banff, Haddo, and Rowallan.

It was destined that this was not the shape she was to take as a refugee; but such as it was, there was no choice. What might have been effected by a more deliberate retreat—if she had not lost head and fled outright—it is hard to say; but, unprotected on the Border, her one chance of immediate safety to her life was to get within English ground.

If we ask what other refuge was open, the first to suggest itself is France. But it is open to doubt whether any one acquainted with affairs at the time would have pronounced that a safer alternative, presuming it to be in the emergency attainable. No doubt it was still one of the cherished policies of the French Court to seize the first opportunity for re-establishing the old influence in Scotland, and so bridling England from the north. But if France would have then sent an army to help the queen in a struggle with her rebellious subjects, and suppressed England's project of doing the like, this was something very different from the reception of a fugitive who had been driven from her throne by a triumphant party, from which she fled for bare life with the blot of infamous crimes on her name. There was but little zeal for her cause in the Court of France; while, on the other hand, there was the fixed hatred of that miracle of craft and cruelty, Catherine of Medici. She was again supreme in France, and the headlong ferocity of her son was led to politic ends by her subtler intelligence. She was in friendly communication with Elizabeth, and had not yet revealed the great secret whether she was to be the friend or the enemy of the Huguenots. With this woman, Mary, at the climax of her career, when she was Queen of France as well as

Scotland, had a hard game to play. What chance had she now?[1]

Could she have fled to Spain, a scene of another kind might have opened. There she would have found a monarch who, if it be possible, was more earnest than herself in reverence for the doctrine, that the one object, both for the sake of this world and the next, to which a Christian sovereign should be devoted, was the restoration of the old Church to its power and splendour. The possibilities that such a conjuncture might have opened are so interesting that they can hardly be passed in silence. Might not an impulse have been given to his sluggish nature, so that the great blow he was to strike in England might have been earlier and more aptly timed? There was no room, it is true, for the revival of the old matrimonial project between Mary and Don Carlos, which Catherine of Medici had wrought so hard to defeat. The poor mad youth was at the crisis of his tragic fate. It was about six weeks after her escape that, if we are to accept what we are now told, his throat was cut in the Escurial, not by assassins, but by the ministers of Spanish justice. But presently there was to be another opening. Within six months after this crisis in Mary's fate, her sister-in-law, Isabella of France, the Queen of Spain, died. She also became the tragic heroine of a romance of love and crime; but history gradually dropped the dark suspicions on her name, and left them to the world of fiction. Though the daughter of the terrible Catherine, she left the reputation of a faithful wife and a gentle queen. Among those

[1] There are two letters of Catherine at this time, containing inquiries about the escape and the other incidents; but the writer shows much more anxiety for the possession of some of her daughter-in-law's pearls than the safety of their owner.—Teulet, ii. 217.

who cherished the memory of her virtues, they were enhanced by the fervency with which on her deathbed she expressed her thankfulness in being the partner of one whom no deceptious frailties of mercy or remorse had ever checked in the sacred task of extirpating heresy. To such views Mary was one who would have given support quite as sincere and far more active. Indeed, just before the Queen of Spain's death, the two had been holding some genial correspondence, in which the restoration of the Church was put foremost of human duties. At that time Philip was not yet forty-two years old, and though he had been three times married, the son destined to succeed him had not yet been born. If it be said that these speculations on the possible consequences of events that never came to pass are away from the purpose of history, it may be pleaded that they deserve a passing notice, since they were contingencies which both the thinking and the acting men of the times must have studied. There was nothing in the possible future of Mary's relations with France and Spain that did not then affect the present in Scotland, and in England too.

The fugitive queen was received on English soil with quiet decorum. The rumour of an unexpected arrival from Scotland brought some Cumbrian gentlemen to the landing-place. When they found how illustrious a person their visitor was, they formed themselves into an escort, and attended her to Cockermouth. The news passing on to the deputy-captain of Carlisle, who, as we have seen, had some warning of her intention, he called together the gentlemen of the district, and a large body assembled to escort her to Carlisle.

Whether it was the assurance of safety from imme-

diate pursuit, or relief given by repose and quietness to an excited frame, it is certain that she was speedily herself again. She sailed from Scotland on the 16th of May, and the 17th is the date of a letter written by her to Queen Elizabeth—a letter of great length and full of matter. A small portion of it contains the account already cited of the hardships of her escape; but this is briefly told at the end, and after a narrative of events to which it comes as a conclusion, because the events so narrated were the causes leading to that step. It would be only again to go over the history of Scotland since the death of Darnley, were we to give the tenor of this letter, with a commentary on the narrative it contains. It must suffice to say that no one who has followed its author's career can well read it through without high admiration of the concise clearness of the narrative, and her persuasive skill in stating the points of her case. Her condition was pitiable, she said, not only for a queen, but an ordinary gentlewoman. She had undergone the hardships already told; and there was no change of raiment, nothing but the clothing in which she had escaped from the field of battle.[1] It was by no means in this alone that she showed the elastic vitality of her nature—its restorative capacity for suddenly rising in full life and force out of absolute prostration. She found an opportunity for the exercise of her allurements, and promptly seized it. While in Carlisle she was allowed unrestricted intercourse with her own people of Scotland; and the throng of followers was so considerable as to excite uneasiness in Scrope, the governor, who suggested that if this unrestricted visiting were to

[1] Labanoff, ii. 73.

continue, it would be well to move the refugee farther from the Border. In a town so close to the frontier, the continued resort was "not without some danger, or at least not without opinion of lack of consideration."[1] But he and others felt more serious ground of alarm, in looking back on the opportunities she had seized, immediately on her arrival and before precautions had been taken, for exchanging civilities with the Romanist gentlemen in the north. The opportunity was slight, but Queen Elizabeth's emissaries saw that it had been used to effect.[2] She afterwards boasted to her sister-in-law the Queen of Spain how she had seen so much of the spirit animating the adherents of the old Church in England, that had she but a little assistance she would make it supreme, and teach Elizabeth a lesson in the game of encouraging subjects to rise against their sovereign.[3] And in estimating the story of severity and restraint that is to come, it should be remembered that what control she was as yet subject to did not prevent her from fostering such projects,

[1] Anderson, iv. 5.

[2] "It behoves your highness, in mine opinion, gravely to consider what answer is to be made herein, especially because that many gentlemen of divers shires here near adjoining within your realm have heard her daily defences and excuses of her innocency, with her great accusations of her enemies, very eloquently told before our coming hither."—Scrope and Knollys's first report; Anderson, iv. 56.

[3] "J'ay tant apris de l'estat issi que, si j'avois tant soit peu d'espérance de secours d'ailleurs, je métroys la religion subs, ou je mourois en la poyne. Tout ce quartier issi est entièrement dèdiè à la foy catolique, et pour ce respect, et du droit que j'ay issi à moy, peu de chose aprandroit cette Royne à s'entremétre d'ayder aux subjects contre les princes. Elle en est en si grande jalousie que cela, et non aultre chose, me fera remêtre en mon pays."—Labanoff, ii. 185. The last sentence shows how Mary had sounded the depths of Queen Elizabeth's notions of divine right. Her sister's horror of the doctrine that anything could justify subjects in rising against their sovereign was the one hold she had upon Elizabeth's sympathy.

and boastfully announcing them to her friends. We can see in the letters and reports of Sir Francis Knollys traces that his allegiance as a servant of his kinswoman Queen Elizabeth, and his duty as a stern soldier, had been sorely tried by the blandishments of the refugee. He saw much of her when there were few others to occupy her attention. He undertook the interesting duty of teaching her the English language. She afterwards called him her "good schoolmaster," and rewarded him with the first letter written by her in English. She states that as an excuse for its imperfections; and it is the earliest specimen of a complete letter from her pen in any British Saxon tongue. It is thoroughly becoming in its tone, with kindly inquiries after the Lady Knollys, and hints about a token to be sent to her.[1]

Knollys arrived at Carlisle on the 28th of May, along with Scrope, the governor, with whom he appears to have been associated as an apt adviser. They record their first interview with her held on that day. She had demanded that she should be brought as a visitor to the Queen of England, and they had the unpleasant duty of telling her that in the mean time

[1] "And ze send oni to zour wiff, ze mey asur her schu wald a bin weilcom to a pur strenger hua nocht bien acquentet vth her, wil nocht be ouuer bald to vreit bot for the aquentans betouix ous. Y wil send zou letle tekne to rember zou off the gud hop y heuu in zou, guef ze sendt a mit mesager. Y wald wysh ze bestouded it reder upon her non ani vder."—Ellis's Letters, i. 253, 254; Labanoff, ii. 173. This was written on 1st September 1568. Afterwards, on the 26th of February, with White, who reported to Cecil, on a visit to Queen Mary, she held sorrowful discourse about the recent death of the Lady Knollys, a calamity brought home to her by the remark of the writer that "the long absence of her husband," in his attendance on Queen Mary, "did greatly further her end." It was on this occasion that she spoke of Knollys as her "good schoolmaster."—Murdin's State Papers, 510.

this could not be, and the still more unpleasant duty of telling her how it was so. The Queen of England could not receive her so honourably as her "desirous affection and goodwill towards her did wish, until her highness might be well instructed and satisfied by probable reasons that she was clear and innocent of the said murder" of her husband. They had further to declare their mistress's "sorrowfulness for her lamentable misadventure and inconvenient arrival," and at the same time to express "how glad and joyful" her highness felt "of her good escape from the peril of her person, with many circumstances thereunto belonging."

Through the dry narrative of these cautious officers we can see, in the reception of their disagreeable message, the consummate powers on which the fugitive drew to make the best of the conditions: "We found her in her answers to have an eloquent tongue and a discreet head; and it seemeth by her doings that she hath stout courage and liberal heart adjoined thereunto. And after our delivery of your highness' letters she fell into some passion, with the water in her eyes; and therewith she drew us with her into her bedchamber, where she complained to us for that your highness did not answer her expectations for the admitting her into your presence forthwith; that upon good declaration of her innocency, your highness would either without delay give her aid yourself to the subjecting of her enemies, or else, being now come of goodwill and not of necessity into your highness' hands —for a good and greatest part of her subjects, said she, do remain fast unto her still—your highness would at the least forthwith give her passage through your

country into France, to seek aid at other princes' hands, not doubting but both the French king and the King of Spain would give her redress on that behalf to her satisfaction."[1] That she made a distinct impression on Knollys, we may read in a recommendation in which Scrope did not participate. Referring to the merits of her case, and the popular feeling in her favour in the north of England, "and therefore," he says, "I, the vice-chamberlain, do refer to your highness' better consideration, whether it were not honourable for you, in the sight of your subjects, and of all foreign princes, to put her grace to the choice, whether she will depart freely back into her country without your highness' impeachment [*i.e.*, hindrance], or whether she will remain at your highness' devotion within your realm here, with her necessary servants only to attend upon her, to see how honourably your highness can do for her; for this means your highness, I think, shall stop the mouths of backbiters, that otherwise would blow out seditious rumour, as well in your own realm as elsewhere, of detaining of her ungratefully."[2]

This suggestion is in keeping with the man's frank character. It is perceptible that, like others, he had little doubt that his fascinating captive was a murderess. In the midst of his admiration he renders another morsel of blunt, honest advice to the chief counsellor of his mistress: "If the spots in this queen's coat be manifest, the plainer and sooner that her highness doth reveal her discontentation therewith the more honourable it will be, I suppose; and it is the readiest way to stop the mouths of factious, murmuring subjects."[3]

This follows on a burst of admiration more like a

[1] Anderson, iv. 54. [2] Ibid., 56. [3] Ibid., 72.

tribute bestowed by one brave, ambitious man on another, than a homage to the qualities of a fascinating princess: "This lady and princess is a notable woman. She seemeth to regard no ceremonial honour beside the acknowledging of her estate royal. She showeth a disposition to speak much, to be bold, to be pleasant, and to be very familiar. She showeth a great desire to be avenged of her enemies. She showeth a readiness to expose herself to all perils in hope of victory. She desireth much to hear of hardiness and valiancy, commending by name all approved hardy men of her country, although they be her enemies; and she concealeth no cowardice even in her friends. The thing that most she striveth after is victory; and it seemeth indifferent to her to have her enemies diminished either by the sword of her friends or by the liberal promises and rewards of her purse—or by divisions and quarrels raised among themselves—so that for victory's sake pain and peril seemeth pleasant unto her; and in respect of victory, wealth and all things seemeth to her contemptible and vile."

Not less remarkable than this description of his captive's temper is the moral he draws from it: "Now what is to be done with such a lady and prince, or whether such a princess and lady be to be nourished in one's bosom, or whether it be good to hold and dissemble with such a lady, I refer to your judgment."[1] Congenial with these simple but expressive touches of character are the remarks of another who saw and conversed with her a few months later. He, too, writes his impressions to Cecil, and his thorough admiration of the captive's powers is certainly not neu-

[1] Anderson, iv. 72.

tralised by his somewhat clumsy disclamations of any derogation from the superior merits of his own mistress: "If I, which in the sight of God bear the queen's majesty a natural love beside my bounden duty, might give advice, there should very few subjects in this land have access to or conference with this lady. For beside that she is a goodly personage (and yet, in truth, not comparable to our sovereign), she hath withal an alluring grace, a pretty Scottish speech, and a searching wit clouded with mildness. Fame might move some to relieve her, and glory joined to gain might stir others to adventure much for her sake."[1]

Such still remain among the casual notices imparted to Cecil, on whom they can have had no reassuring influence. Yet we can believe that doubts which crossed the mind of the casual visitor would contribute but a drop to the vast sea of difficulties that seemed to gather round the subtle statesman, whose eye looked so much farther into the coming possibilities. In fact it is visible in the papers of the time that the last event struck the Court of Elizabeth with immediate consternation, followed by darkened and confused counsels. Queen Mary's escape from Lochleven seemed likely to inaugur the solution of a great difficulty, but her defeat and flight threw all back into more insoluble perplexity. In whatever direction Cecil varied the probable path of events, he ever ended in a precipice. We have the spirit of his perplexed thoughts in a paper called "Things to be considered upon the

[1] N. White to Cecil; Murdin's State Papers, 511. The writer says, "In looking upon her cloth of estate, I noticed the sentence embroidered, 'En ma fin est mon commencement,' which is a riddle I undertake not." He noticed also that "her hair of itself is black, and yet Mr Knollys told me that she wears hair of sundry colours."

Scottish queen's coming into England." Looking to the several probable conclusions, each in its turn, he sees in none of them success—each has merely dangers to be encountered; and the question is, Which has the fewest? We have first, "danger if the Queen of Scots should pass into France;" next, "danger if the Scottish queen do remain in England;" and third, "danger if she should return into Scotland to rule as she did."[1] He expressed the full perplexity of the situation in brief familiar terms when writing to Norris, the English ambassador in France, how that all were "much troubled with the difficulties, finding neither her continuance here good, nor her departing hence quiet for us."[2]

Europe was filled with rumours that the crisis had now come, and that it was determined to strike the great blow—the blow that was to rid the Church of the pestilent heresy that domineered in England and was struggling for existence in the Spanish Netherlands. Norris told how a Huguenot statesman with much mystery had wiled him to a secluded corner furth of Paris, and there, beyond the reach of spial or interruption, he recommended the ambassador to advertise Cecil "that the queen's majesty did hold the wolf that would devour her; and that it is conspired betwixt the King of Spain, the Pope, and the French king, that the queen's majesty should be destroyed, whereby the Queen of Scots might succeed her majesty." The ambassador is put on the track of an Italian who conducts communications between Spain and the Romanist party in England, and is informed of other details too obscure to be now realised. He puts it

[1] Anderson, iv. 34 *et seq.*

[2] Cabala, 149.

to Cecil's superior wisdom what is most expedient "both to the preservation of her majesty and well of the country;" while he says for himself, "Of God I would wish that the Queen of Scots were rather redelivered, than the queen's majesty to stand in these perilous terms both at home and abroad."[1] But it was natural that others should not concur in the policy of immediately letting loose the wolf. It was, indeed, for English statesmen, a reign of terror in the true sense of the term—that terror of danger from without which drives men to harsh and cruel remedies within. Queen Mary's fate, if the strange course of events and her own strange dealing with them are to be so termed, had made her an incarnate peril. She was dangerous wherever she dwelt or whithersoever she went. It was dangerous alike to do anything with her or leave anything undone. Her position was that awful one so well expressed in the brief passage between the prison and the grave of kings.

Enough of her correspondence during this critical period survives to prove that she vigorously pressed on the Court of France for help. She commissioned the Lord Fleming as her ambassador there; and she wrote to her brother-in-law Charles IX., to her uncle the Cardinal of Lorraine, even to her personal enemy Catherine of Medici. If they came forth as they should, and proclaimed that she, an anointed queen closely allied to them by family ties, was not to be driven from her throne by rebels, her enemies would be paralysed and her legitimate rule restored. They must send men and money. It was especially neces-

[1] Haynes's State Papers, 466.

sary to reinforce the loyal garrison of Dumbarton, and to recover the other royal fortresses. She appealed loudly to the compassion of her friends. Her faithful people were slaughtered; she was herself a close prisoner, and treated with such sordid inhumanity that she was in want of food and clothing. Otherwise her letters are full of business and sagacity. On one point a truth is touched which may well have gone home to the hearts of the French Court. She refers to the community of interest between her own rebels and those of France—between the Protestant party in Scotland and the French Huguenots. She was quite right in her appreciation of this formidable conjuncture—it was a source of danger in France, it brought ruin on herself.[1]

Besides these examples of her private correspondence, we possess a solemn memorial of some length, prepared for the purpose of bringing Queen Mary's case before the principal Courts of Europe.[2] It might be hard to say how far it is an inspiration of her own; but it is so entirely a personal pleading, and is so bold in its assertions, that we cannot suppose it to have been circulated without consultation with her. It is an able and powerful document. It needs only that the mind runs over the successive strange events of her short reign to see how easily the story could be told so as to make her character in it solely that of the victim to the vile machinations of others. From the very beginning, while he was yet a youth, her bastard brother

[1] Labanoff, ii. 85 *et seq.*

[2] "Mémoire addressé au nom de Marie Stuart à tous les princes de la Chrétienté;" Teulet, ii. 241. An Italian version found at Florence was printed by Labanoff (vii. 313). M. Teulet says, "Ce mémoire fut rédigé par les ordres de Marie Stuart à Carlisle en Juin 1568."

laid his plans of usurpation. He steadily pursued his end while his confiding sister was loading him with benefits. Three times he had attempted to seize her, and each time had been pardoned. At last he was successful through an act of double villany. He and his accomplices murdered her husband under conditions which enabled them plausibly to charge her with the crime. They then dealt with Bothwell. He became one of their instruments, and under the pretext that the country called him to be her husband, he was allowed to abduct her and keep her in durance. It was then that, under the pretence of delivering her, they got her in their power. It may be noted that nothing is said of the marriage—she is entirely a captive princess in the hands of ruffians, and subject to their brutality.

Throughout this document charges of heresy and apostasy accompany the charges of rebellion and treachery. From the beginning her base brother had found in the heretical enemies of the Church the proper tool of his machinations, and a close alliance between them grew and strengthened. Hence the cause of the persecuted queen was also the cause of the outraged Church, and all the Church's friends were bound to strive for her restoration and the condign punishment of her enemies. It was natural that the cause of the Church, if it could with prudence be introduced, should be a feature in such a document, as it was from the Catholic sovereigns only that aid could have been expected. But the vehement eloquence in which the cause is pleaded, and the distinct terms in which it is laid down that the cause of Mary Queen of Scots is the cause of the true Church, show that Herries and her other Protestant champions can have

had no voice in the preparation of this document. We may even believe that it must have been carefully concealed from them. Its language is inspired by the ardent Catholic zeal of her in whose name it went forth. It may be imagined that such a paper would have produced a deep sensation throughout the Catholic world, if it had not been that the minds of all men likely to hear of passing events in a country so distant, were at the time impressed with the belief that the Queen of Scots was the murderer of her husband.

All the while she thus appealed to foreign powers she was pouring letter after letter in upon Queen Elizabeth, beseeching, wailing, and remonstrating. She appealed to the courtesies and kindnesses that had passed between them, to their ties of kindred and their common ancestry, to their divine destiny as sovereign princes anointed and set apart to rule over their fellow-creatures, and bound, not only by a sacred duty, but by a community of interest, to protect each other from the machinations of traitorous subjects. Descending from these lofty parallels, she brought her claim down to the level of their common womanhood. She was in straits and peril; she had endured memorable hardships; she had borne hunger and thirst, and was destitute of the comforts, even the decencies, of life; she was yet dressed in the same clothing in which she had fled for her life. Was it the part of her sister, sitting serene in her own royal state, not merely to restrain her hand from helping, but actually to supply the remaining drop to her bitter cup by the misery of strait captivity? The reader of these letters, if he recalls all that had occurred in Scotland in the past

three years, and remembers the position of these two women towards each other, can hardly escape the conviction that they form one of the most wonderful specimens of eloquent and pathetic pleading to be found in literature.[1] Underneath all this pathos and eloquence, too, there are subtle touches of flattery, and acute appeals to policy and expediency. At one point there is a strange and significant hint, as if the writer, could she but get access to her sister, could reveal to her something immediately touching her personal safety. Why should her sister play the part of the deaf adder? If Cæsar had not disdained a warning he might not have fallen. Why are the ears of princes closed when they are commonly represented as far-reaching, so that they may hear all and be prepared for all occasions?[2] This personal meeting was the chief immediate object of all her entreaties. All would be well if they could meet alone and unbosom their princely hearts to each other, uninterrupted and uninfluenced by the common order of politicians, whose place it is to minister to their supreme will, but not to forecast its aims. Among devout believers in the un-

[1] Labanoff, ii. 71 *et seq.*

[2] "Si César n'eust dédaigné d'écouter ou lire la plainte d'un avertisseur il n'eust succombé. Pourquoy doivent les oreilles des princes être, bouchées, puisque l'on les paint si longues? signifiant qu'ils doivent tout ouyer et bien penser avant que respondre."—Labanoff, ii. 134.

Are we to count it the same hint in another form when Herries, her representative at the Court of Elizabeth, intimated that "if she might come personally to her majesty, then she would show that to her majesty that she had to say;" adding, "that she would also therein say that which she never yet had uttered to any creature"?—Anderson, iv. 18. Again, in the report of Elizabeth's messenger Middlemore, who visited her at Carlisle, when she complains of Elizabeth's refusal to see her: "I would and did mean to have uttered such matters unto her as I would have done to no other, nor never yet did to any."—Ibid., 87.

fathomable wisdom of Queen Elizabeth it may excite a smile to notice the dreams which the fugitive indulged in as to the issue of such a meeting. It is evident that she believed she could bend her rival to her will. With her natural abilities, and her training in the very centre of the social refinement and diplomatic policy of the day, it seemed an easy matter to prevail on one who, though a cultivated scholar, and a clever, self-willed woman, was yet in the game of Court intrigue to be counted but a mere provincial. Indeed, if we can believe that Mary opened her heart to her sister-in-law of Spain, the vistas of the future which the accomplishment of a meeting with Elizabeth opened up to her can only be called amazing. The Queen of England might naturalise and adopt her son; but that would be no pleasing prospect, since he would be trained in the prevailing heresy and lost to the Church. But, on the other hand, if she and Elizabeth could come to a proper understanding, he might be trained in the true faith, succeed to the broad heritage of his race, and strengthen the great cause by a union of the King of Britain with a daughter of Spain. One would think that the first step to such a sequence of events must have been the conversion of Elizabeth to the true faith.[1] Mary had, as we have seen, on one memorable instance over-estimated the power of her apparatus of fascinations. When she tried them upon the stern ecclesiastical champion, she found them utterly insufficient to shake his obedience to the ordinances which he believed to embody the direct commands of a higher power. Whether she would

[1] Labanoff, ii. 186. The terms are dubious, and it is open to every reader to draw from them, if he so can, a different conclusion from this.

have been more successful with one whose opinions were fortified more by policy and self-importance than by religious fanaticism the world has no opportunity of knowing. The appeal was ever steadily refused, on the ground that the Queen of Scots must cleanse herself from the foul stains on her reputation before the two could meet as sister queens; and so Mary had to take what solace she could from the opinion that Queen Elizabeth's minions combined to exclude her from fear of the influence she would have over their mistress if a meeting between them were permitted.[1]

All things considered, it was found to be, justly or unjustly, the prudent course to avoid an immediate decision as to the ultimate disposal of the refugee, and to retain her, as far as might be, in the position in which she had placed herself. One step was necessary, however, and that could not be taken without some approach to an active policy. If she were to be held in restraint, Carlisle was so near her own country that any day might bring some fresh astounding change in the eventful drama of which she was the heroine. Knollys feared that one so lithe and active might escape by such cords and drapery as the furniture of her apartment could supply.[2] Besides the

[1] The conditions under which the expectations above referred to are to be realised are "estant en mon pays et en amitié avèques ceste royne, que les siennes ne veullent permettre me veoir de peur que je la remète en meilleur chemin, car ils ont ceste opinion que je le gouvernerois, lui complésant."—Labanoff, ii. 186.

[2] Anderson, iv. 57. Writing after she had been removed to a safer place, Knollys says, about the anxieties and difficulties at Carlisle: "The band was divided into five partes, so that the watchè and wards came about every fifth nyght and every fifth daye, of the which watche and wards we had five governors. The first was Mr Reade, and Wyllyam Knollys for his learning accompanyed hym; the second was Mr Morton; the third was Mr Wylford; the fourth was Barrett, Mr Reade's lieu-

small body of servants and attendants who resided with her in the castle, several Scotsmen living in Carlisle attended her as she rode out, and formed a considerable retinue. And "once," as Knollys says, "she rode out a-hunting the hare, she galloping so fast upon every occasion, and her whole retinue being so well horsed, that we, upon experience thereof, doubting that upon a set course some of her friends out of Scotland might invade and assault us upon the sudden for to rescue and take her from us." To obviate this danger he came to the politic conclusion that she must excuse her protectors if they should refuse to countenance "such riding pastimes," as they created anxiety lest they should end in "the endangering of her person by some sudden invasion of her enemies."[1] To other causes of anxiety were added some suspicions about the intentions of Northumberland and several of his neighbours, all, like himself, "unsound in religion." It was ostensibly a question of etiquette whether he, as the feudal potentate of the district, was not bound in loyalty and courtesy to take on himself the especial

tenant"; and the fifth was Weste, his ansygne-bearer, a very sufficient and carefull man also. This quene's chamber at Carlyll had a wyndow lokyng out towardes Skotland, the barrs whereof being filed asonder, out of the same she myght have ben lett downe, and then she had playne grounds before her to pass into Skotland. But nere unto the same wyndow we founde an old postern doore, that was dammed upp with a ramper of earth of the inner syde, of twenty foot broade and thirty foot deepe, betweene two walls; for the comoditie of which postern for our sallie to that wyndow wyth readye watche and warde, we dyd cutt into that rampier in forme of stayre, with a turning aboute downe to the seyde postern, and so opened the same, without the which devise we coulde not have watched and warded this quene there so safely as we dyd. Although there was another wyndow of her chamber for passing into an orchard within the towne wall, and so to have slipped over the towne wall, that was very dangerous."—Wright's Queen Elizabeth, i. 290, 291.

[1] Wright's Queen Elizabeth, i. 284.

protection of the royal fugitive; but he was so severely checked and heartily rated for his obtrusiveness on the occasion, as to show that deeper motives than an obedience to the rules of etiquette were supposed to govern him.[1]

On the 14th of July she was removed to Bolton Castle, in Yorkshire, a possession of the Lord Scrope. There was here a distinct act, in which she was disposed of contrary to her will. But action had become necessary, and this was a choice among difficulties. To be permitted to return to Scotland was not her own desire—it would have been certain destruction. Either she must be sent to France, or to Scotland with an army to enforce her claims. A little petulant outbreak described by Knollys thoroughly harmonises with her position and natural expectations: "'I will require the queen my good sister that either she will let me go into France, or that she will put me into Dumbarton, unless she will hold me as a prisoner; for I am sure,' sayeth she, 'that her highness will not of her honour put me into my Lord of Murray's hands.' Hereby we might gather that although she would be put into Dumbarton, that she dare not well go thither of herself if she were at liberty; and, saith she, 'I will seek aid forthwith at other princes' hands that will help me—namely, the French king and the King of Spain—whatsoever come of me, because I have promised my people to give them aid by August.'" The little scene closes thus: "'And,' saith she, 'I have made great wars in Scotland, and I pray God I make no troubles in other realms also;' and parting from

[1] Wright's Queen Elizabeth, i. 272 *et seq.*

us, 'she said that if we did detain her as a prisoner we should have much ado with her."[1]

The removal was managed with decorum. Both parties understood each other; and Queen Mary, having no choice but compliance, ostensibly concurred in the propriety of a change of residence, and was escorted to her new home with all available ceremonial. The change was a great relief to Knollys, whose last anxiety was about the journey. He had the satisfaction of reporting that "there hath been no repair unto her by the way, as might have been looked for;" and the structure of the new prison was eminently satisfactory: "This house appeareth to be very strong, very fair, and very stately, after the old manner of building; and is the highest-walled house that I have seen, and hath but one entrance thereinto; and half the number of these soldiers may better watch and ward the same than the whole number thereof could do at Carlisle Castle."[2]

[1] Wright's Queen Elizabeth, i. 286. [2] Ibid., 290.

CHAPTER LI.

Regency of Murray.

(Continued.)

THE 'EFFECT ON THE COURT OF ENGLAND—FLEMING, HERRIES, AND THE FRENCH AMBASSADOR THERE—THE QUESTION OF MARY GOING TO FRANCE—THE QUESTION OF A PERSONAL INTERVIEW BETWEEN THE QUEENS—THE MISSION OF MIDDLEMORE—HOW RECEIVED BY QUEEN MARY—HOW IN SCOTLAND—THE CASKET LETTERS—FEELING THE WAY TO THE RESULT IF THE CHARGES PROVED—QUEEN ELIZABETH'S DIVINE RIGHT OF SOVEREIGNS, AND REPUDIATION OF THE POWER OF SUBJECTS TO QUESTION THEIR ACTS—CONFLICT WITH QUEEN MARY'S PRETENSIONS TO THE THRONE OF ENGLAND—THE LATENT QUESTION OF THE SUPERIORITY OF THE CROWN OF ENGLAND—QUEEN MARY'S DIPLOMATICS—DEALING WITH THE CHURCH OF ENGLAND AND THE OLD CHURCH—THE DISCUSSIONS TO BE CONDUCTED AT YORK—THE THREE COMMISSIONS—THE EXTERNAL POLITICAL CONDITIONS OF THE INQUIRY.

LET us now turn aside from the fugitive and her personal adventures, to look at a train of transactions of a different character. They are to be found in materials more like a lawsuit, than a romance with a wandering princess for its heroine; but they are full of matter bearing on the facts and spirit of the history of the time, and on the character and conduct of those who acted in it.

Directly after her flight, Queen Mary had sent two of

her faithful followers to represent her interests at the Court of Elizabeth—the Lord Fleming and the Lord Herries. Fleming's object was stated to be, to pass to France and "to advertise the French king of her arrival in England, and to thank him for his offers made to her, and to move him to send no succours into Scotland as before time she had solicited." He was told that there was no necessity for such a mission. De Beaumont, the ambassador from France, who had rendered court to Mary at Hamilton, had just returned after having seen all. The French Government were well aware that she had gone to England; and as to the plea that it was desirable to warn France not to send any forces to Scotland, that was a matter in which the Queen of England was as deeply interested as her sister; but the English Government felt no anxiety. There was thus no reason why Fleming should go to France. It is clear that if Queen Mary could have sent a messenger to France in any other manner, she would not have appealed to her sister's aid. Fleming felt the object of his mission to be so important that he still pressed for a safe-conduct to France. He was met by some touches of diplomatic sarcasm; but enough was let out to show him that there were formidable suspicions about the nature of the real object of sending to the Court of France one who had at his disposal a strong fortress commanding one of the chief sea-gates of Scotland: "The common opinion was well known that his special errand, he being Captain of Dumbarton, was to fetch Frenchmen by sea to Scotland, whereof the world, by former certain experience, might well judge what great troubles might ensue fit for England to regard."

True, the Queen of England was not afraid of any actual mischief from his negotiations; but "she desired not to be thought in the judgment of the world improvident, how improvident soever she might be indeed." So Fleming was desired to abandon his mission if "he meant to avoid the opinion of an evil meaning."

Thus Cecil and his friends having, as they thought, baffled a deep design, thought they might conclude the farce by a touch of light irony, which they might have omitted had they known all. Queen Mary found other emissaries. The letters to her friends in France already referred to, describing her deplorable condition, and crying out for armed assistance, were written after the refusal to forward Fleming on his way, and refer to that refusal as a grievance.[1]

One of Queen Mary's emissaries being thus disposed of, we have to look to the other, whose business was destined to achieve more enduring importance.

John Maxwell, Lord Herries, a Protestant, was reputed to hold by the party of the regent and the Lords of the Congregation; but when, after the marriage with Darnley, the heads of the party were driven into England, he remained on the north side of the Border, surrendered himself, and made his peace with the queen. He was now the most zealous and active of her champions. He appears to have been ambitious of measuring wits with Lethington as a scientific diplomatist, drawing his resources from the Machiavellian school. Hence, like his rival, he was always suspected of some deep and subtle design in all he did.

The tenor of his negotiations comes to us in a paper

[1] See above, p. 31.

corrected by Cecil. He stated that although it was the principal desire of his mistress to have a personal conference with her sister, "if her majesty could not find it meet presently to assent thereunto, yet, he said, that if her majesty would take the understanding of her cause in hand, she would wholly commit the same to be ordered by her majesty." What immediately follows is not so distinct; but it appears to mean that in this offer she is not to be considered as submitting her case to be judicially dealt with like a lawsuit, since she "took herself as a prince and monarch subject to none;" and that especially the example of a litigation should not be followed in the admission of any of her subjects, "whom she accounted traitors," to be heard as her accusers.

On this point Herries might be at his ease, for it was Queen Elizabeth's intention to adopt the very opposite course: "As to use any form or process herein by way of judgment, whereby her subjects should be reputed accusers of her, the queen's majesty was so far from that intention, as she meant rather to have such of them as the Queen of Scots should name called into this realm to be charged with such crimes as the said queen should please to object against them; and if any form of judgment should be used, it should be against them."

The end to be held in view was no less gracious towards her sister than the method in which it was to be reached: "The Queen of Scots her sister should assure herself that she desired not for herself to deal in this cause of the crimes imputed to the said queen, but only wished, considering her cause, that some good means might be devised how she might be honourably

acquitted thereof, which if it might be, her majesty would be most glad, and so she should be surely restored with all princely honour, and enabled to chastise her rebels. And if it should not fall out so clearly to all purposes as were to be wished, yet her majesty meant not in anywise so to deal herein as thereby to animate or give comfort to any subjects to proceed against their sovereign for any manner of cause whatsoever could be alleged, but would do her best, after the matter heard, to compound all difficulties without bloodshed, and procure her quietness in her realm and peace among her people."[1]

Murray had then an agent in London named John Wood. The purpose for which his presence was acknowledged by the English Court was "to understand

[1] Statement revised and corrected by Cecil; Anderson, iv. 1 *et seq.* So far as facts and conduct are described in this and the other papers to be presently referred to, they have to be taken on the authority of the writer of each, as it may be affected either in the direction of confirmation or of dubiety by other documents or by public ascertained facts. It may be objected that pure history ought to embody the abstract truth to be found by the comparison of conflicting sources of information, and ought always to be the statement of the historian, who is presumed to be perfectly impartial, not that of the persons interested in the transactions to be told. In answer to such a view, the author has to say that he believes he keeps nearest to the truth by adhering as closely as possible to the matter of the great State documents, which are the fundamental material of the history of the period. It is a history that has been so overlaid with theories, conjectures, and angry controversy, that the best thing we can now do seems to be to carry it back as close as may be to the fundamental authorities, without allowing too much importance even to the morsels of contemporary gossip and rumour disclosed in the secondary correspondence of the period. In conducting the narrative towards the accomplishment of the object thus in view, the chief element of preparation lies in the grouping of the substance of the disconnected documents in the order of the events to which their several parts refer. This method affords an easy opportunity for quoting the words of the documents themselves, when it happens, as it often does, that the sense cannot be trusted into other words without the risk of being perverted.

the queen's majesty's pleasure for the proceeding in this cause of the Queen of Scots." The duty confided to him was to intimate that Murray was prepared to vindicate all that had been done by his party in the train of events which had ended in his becoming regent.

At a point in the conferences held by Queen Elizabeth's advisers with Herries and Wood it was determined to send an emissary to Scotland.

A certain Henry Middlemore, "one of good understanding and credit," was selected for the service. He was not an ambassador, and as he is not otherwise known in political life, it is probable that an obscure man was selected for the purpose of rendering the aspect of his mission as little ambassadorial as might be. His first visit was to Queen Mary at Carlisle. By the terms of his instructions he was to represent that "the queen [Elizabeth] meaneth to take her and her cause into her protection, and according to the justice of the cause will prosecute all her adversaries." He was to tell her that his queen would not deal with the Earl of Murray "in any point tending to affirm the coronation of the prince her son as king." He was to repeat the explanation, that the reason why his queen could not receive her sister sovereign was the yet unrefuted charges of heavy crimes lying against her, but "that the queen's majesty doth neither condemn her of the same, nor yet can acquit her until she shall hear what may be said therein."[1]

If we are to accept Middlemore's own account of his interview with Queen Mary, we must admit that he gave sufficient emphasis to the reason why his queen

[1] Anderson, iv. 67.

could not admit the fugitive to her presence. The charges with which her fame was blackened — the charge of murdering her husband especially—were not more broadly and offensively set forth by her accusers. Already in the eyes of the world, including some "very great princes," the character of his mistress was liable to be tainted, because in her kindness to the person charged with crimes so foul she had seemed tolerant of them. Her whole anxiety was to rescue her sister; but if she were to receive the proffered visit, so that the two should meet together in sisterly communing, any judgment which the Queen of England might afterwards pass on her conduct would be set down as the partial effort of a friend to screen the guilty.

If Middlemore uttered but a portion of the expressions that he took credit for, it is not surprising that the meeting was a stormy one, and that Mary did not get through it "without great passion and weeping, complaining of her evil usage, and contrarious handling to her expectation." Middlemore gave the oft-repeated assurance that her subjects were not to be heard as her accusers; on the contrary, they were to be treated as subjects charged with rebellion against their sovereign. At this point she was shown the letter to Murray with which we have presently to deal, and there she found that these rebels were to be invited to say what they could in palliation of their conduct. From this she drew a broad conclusion: "She said it appeared that the queen's majesty would be more favourable to my Lord of Murray and his than she would be to her; for it seemed she was contented that they should come to her presence to accuse her,

but she will not permit her to come to her to purge herself. Here she inveighed greatly against my Lord of Murray and his party, and said she was a prince and they were but subjects, and yet traitors, so as there was no equality between her and them to make themselves a party against her; but, said she, 'if they will needs come, desire my good sister the queen to write that Lethington and Morton, who be two of the wisest and most able of them to say most against me, do come, and then to let me be there in her presence face to face to hear their accusations; but I think Lethington would be very loath of that commission,' said she."

On one demand she was easily dealt with — the cessation of hostilities. Whatever the farther end might be, to stay Murray's hand was to save her party from immediate destruction. But then came as a corollary "the troublesome point of Dumbarton." She was desired to take order that no French auxiliaries should be received into the garrison. "Her answer was plain, that in case her majesty would not assure her of her full help and aid for the suppressing of her evil and unruly subjects, she neither could nor would leave and forsake the aid of other friends; but rather than not to be revenged of them, she would go herself to the great Turk for help against them."

There remained still an article in his instructions; but it was in part so vague and oracular that he seems to have prudently repeated it as he got it, without any attempt to enlarge on it. It was that his mistress "did mean shortly to have her brought nearer unto her, to some place where she might have more pleasure

and more liberty, and be utterly out of the danger of her enemies; and so as her grace should grow, so her majesty would not fail to advance her to further degree of her full contentation." The hapless messenger had this "kept in store to make a pleasant parting, although it did not so fall out." To a storm of questions as to the shape in which she was to be removed —as a prisoner or as a guest—and other particulars, he did not give, and had probably no means of giving, any satisfactory answer; and he had no recourse but to make something like a retreat from what he termed "a great conflict."[1]

The emissary passed on to Scotland, and delivered to the regent a letter from Queen Elizabeth. Like all the ostensible documents coming from the Court of England, it was carefully worded, so as to avoid any terms importing the validity of Queen Mary's abdication, of her son's coronation, or of Murray's appointment as regent. The reason for addressing the message to him is expressly told: "Considering the government of that realm is in your power at this present." This letter begins with a rapid enumeration of the wrongs of which Queen Mary complained. With a modification of the bitter eloquence, they are detailed much as she herself stated them to Elizabeth. This preamble is followed by articulate demands, thus: "All which things cannot but sound very strange in the ears of us, being a prince sovereign, having dominions and subjects committed to our power as she had. For remedy whereof she requireth our aid as her next cousin and neighbour, and for justification of her whole cause is content to commit the hearing

[1] Anderson, iv. 80-94.

and ordering thereof simply to us." She requires him in the mean time to abandon all hostile acts, whether by open warfare or legal process, against those who have taken part with the queen. She notes that it had come to her ears that he was willing to lay before her an explanation of his "whole doings." The conclusion is a requisition "to impart to us plainly and sufficiently all that which shall be meet to inform us of the truth for your defences in such weighty crimes and causes as the said queen hath already or shall hereafter object against you contrary to the duty of natural-born subjects; so as we, being duly informed on all parts, may, by the assistance of God, direct our actions and orders principally to His glory, and next to the conservation of our own honour in the sight of all other princes, and finally to the maintenance of peace and concord betwixt both these two realms."[1]

This letter preserves consistency with the high prerogative views expressed by Elizabeth a year earlier, but with modified vehemence. But a new and significant element appears. The dominant party in Scotland are rebels who can be only dealt with as criminals. They cannot be heard as accusers of their sovereign, yet they are invited to tell all that they can tell in vindication of their conduct.

In answer to these propositions, a solemn document by the regent in Council was delivered to Middlemore. The purport of it simply was, Suppose we prove all that we have charged against the queen, how shall we then stand? "We wad be maist laith to enter in accusation of the queen, mother of the king our sove-

[1] Anderson, iv. 69, 70.

reign, and syne to enter in qualification with her; for all men may judge how dangerous and prejudicial that should be. Always, in case the queen's majesty will have the accusation directly to proceed, it were most reasonable we understood what we should look to follow thereupon, in case we prove all that we allege, otherwise we shall be as uncertain after the cause concluded as we are presently." Already had they had sharp experience of what Elizabeth could do to save herself from being dragged before the world as a conniver with subjects rising against their sovereign. If they trusted themselves in her hands, they might expect at any time to be silenced, and told that there was nothing for it but submission to their lawful sovereign. The question before them was, whether it were better to stand as they were, and defend what they had done against all assailants, than to enter on this dubious engagement with the sovereign of England.

The nature of the difficulty must be weighed in estimating the peculiar method taken to clear it. The Scots Estates had already declared to the world that they had satisfied themselves of their sovereign's guilt by documentary evidence, "divers her privy letters," the same afterwards familiarly known as the casket letters. Would these be sufficient to convince the Government of Elizabeth that they had done rightly? To feel their way so far, their emissary now took with him a copy of these documents, or rather a vernacular translation of them, as to which they say, "We wad earnestly desire that the said copies may be considered by the judges that shall have the examination and commission of the matter, that they may resolve to us

thus far, in case the principal agree with the copy that then we prove the cause indeed."[1] This is the first point at which a reference to the casket letters is found in the discussions with the Court of England. To whom they were shown it is not easy to determine. One great point is doubtful—whether Queen Elizabeth saw these copies, or was in any way made acquainted with the full purport of the casket papers. We find Murray afterwards complaining of it as one of his difficulties, that "the queen's majesty of England was not made privy to the matter as she behoved to be."[2]

The answer to these proposals was, both in the form and in the words, such as if Cecil who prepared it were anxious that no part of it should be dubious or equivocal. Both in litigation and diplomacy long experience has taught that the most sure method of bringing parties to a distinct utterance is to pick out each claim and require a separate answer to it. In pursuance of this method, Murray's paper, or rather that of the Scots Council, is answered paragraph by paragraph. Where they state their reluctance to accuse their queen without some assurance about the result, they are told that "the queen's majesty never meant to have any to come to make any accusation of the queen; but meaning to have some good end to grow between the queen and her subjects, was content to hear anything they had to say for themselves." On the other question, What if they prove all their charges? or, in other words, produce the originals of the copies of the casket letters? the answer is, "The queen's majesty never meaneth so to deal in the cause

[1] Goodall, ii. 75, 76.

[2] Letter produced at Norfolk's trial; State Trials, i. 980.

as to proceed to any condemnation of the Queen of Scots, but hath a desire to compound all differences betwixt her and her subjects, and therein not to allow any faults that shall appear in the queen, but by reasonable and honourable conditions to make some good end, with sufficient surety for all parties."

There is here thorough distinctness as to immediate intentions; but this distinctness seems only to render the end all the more obscure. Anything that Queen Mary's enemies were disposed to say would be heard; but of what would follow nothing is revealed: we see only that at this point Queen Elizabeth was not prepared to admit that any act that could be proved against Queen Mary would justify the forfeiture of her regal power and dignity.

Down to this point it is observable that there is a conformity of purpose in the proposals of the two queens, but a thorough contrast in tone. That which Queen Elizabeth does not intend to do, her sister vehemently declares must not and shall not be done. The 13th of June is the date of one of Mary's passionate appeals. It is thus connected with Middlemore's visit to Carlisle, and it was doubtless in Cecil's hands when he prepared the answer to the demands of the Scots Council.

She repeats the demand for the personal interview. She came to England to charge her rebellious subjects with their offences against her, and to obtain from her sister queen assistance for their due punishment. That they should be heard in any statement against her were an outrage on the relation of sovereign and subject. She is ready to justify herself to her sister as friend to friend, but not in a discussion with her sub-

jects unless their hands are tied.' She will die sooner than submit to such an outrage.[1]

It had not yet been determined that she should be subject to the humiliation of answering the accusations made against her, but her natural acuteness seems to have taught her that matters were drifting to that conclusion.

The position in which Middlemore's mission put the question was that Murray and his friends were invited to make their charges in the shape of a defence. After his return a further step gave the whole affair more distinctly the appearance of two parties conducting a litigation before a judicial tribunal. It was proposed to Herries that a deputation from Murray's party should come to England to state what they had to say for themselves, and that another deputation should come from the queen's party to represent her interest. Herries naturally misliked a project which seemed to him virtually to put his sovereign on her defence against the accusations of her subjects. We are then told that "after much conference with him by her majesty, in the presence of her Council, it was at length resolved best, for some speedy end of the queen's causes, that the Earl of Murray shall either speedily come himself with some company, or send some of the best estate of the land. Likeas, the

[1] "Je ne puis ny ne veulx respondre à leurs faulses accusations, mais ouy bien par amitié et bon plaisir me veulx-je justifier vers vous de bonne voglia, mais non en forme de procès contre mes subjectz, s'ilz n'avoyent les mains liées; madame, eux et moy ne sommes en rien compaignons, et quand je devrois estre tenue icy, encores aymeroy je mieulx mourir que me faire telle."—Labanoff, ii. 99. This passage is worthy of minute attention since it has been translated not as if Mary wished her accusers' hands tied, but as if her reason for her determination was that her own hands were tied.

Queen of Scots, he said, should have some of the principal of the realm of her part to meet in some part of the north of this realm, near to the said queen." It is the more necessary to remember that these are the words of the narrative authenticated by Cecil, on account of what follows on it. Immediate steps were taken to bring up the deputations, but within four or five days afterwards Herries requested a special audience. What he had to say was, "that the queen would neither make any answer to any matter propounded by her own subjects, nor yet to any other person of any estate in this realm to be deputed by the queen's majesty, concerning the crimes wherewith she was charged; but if she might come personally to her majesty, then she would show that to her majesty which she had to say, adding that she would also therein say that which she never yet had uttered to any creature."[1] It was afterwards supposed that Herries took this stand "upon letters that he had received out of Scotland, which were taken by certain of the queen's men from a messenger of the earl's," meaning the Earl of Murray. When Herries was asked why he had revoked the consent given by him in express terms to the proposed arrangement, he denied that he had given such distinct consent, "or, to use better speech, that he did not so conceive it." The proposed conference, or by whatever name it might be called, was stopped for the time. Herries left London on the 14th of July, after having, as the same narrative says, returned to his old approval of the conference.

During the interval he suggested a new project. It

[1] See above, p. 134.

opened large questions of policy, and deeply interested Queen Elizabeth's advisers; but as it came to nothing it may be briefly told. England had much to fear both from France and Spain. In the present condition of affairs, Frenchmen might crowd into Scotland to fight under the queen's banner without compromising the French Government in a question either with Scotland or England. Let Queen Elizabeth, then, frankly undertake the restoration of Queen Mary, having first received absolute assurances from France and Spain not only to preserve neutrality, but to restrain their subjects from joining in the contest. The suggestion had "good appearance in reason to be farther considered." It was the more worthy of attention that Herries, though a supporter of Queen Mary, was a Protestant. He was asked whether he had ground of assurance on the part of France and Spain for the part that each was to take, or if he acted merely on the instruction of the queen his mistress. After some pressing he admitted that the plan had no better support than his own opinion. As that was not sufficient warrant for so bold a policy the matter was dropped.[1]

Though the much-sought royal conference was as hopeless as ever, Herries could not well complain of being unnoticed and unheard. He seems to have been in continual intercourse with the leading statesmen in England, and he had several royal audiences. His mission came to a close before the month of August, and of its latter stages we have accounts in two dissimilar shapes—the one a solemn minute of the English Council relating to the policy to be pur-

[1] Anderson, iv. 17-21.

sued about the Queen of Scots, the other a full report of his mission rendered by Herries to his mistress.

As apart from the great personages interested, he had to complain of the credit given to inferior persons, who were placed in the several offices of the Government in Scotland by rebels and traitors. In Scotland, of course, that could not be helped; but there was Wood, a mere tricky lawyer, who had been acting the part of ambassador; and now had come up James Macgill, the clerk-register, one of the same tribe, although Herries might have added that the worst things done by him belonged to the sphere of the politician rather than the lawyer. On these matters some little sarcastic fencing between Herries and the gentlemen of the Council was broken in upon by Queen Elizabeth herself, briefly, but in thorough character. These, Herries said, were not the class of persons who were entitled to meddle in the high affairs of sovereigns. "It is true," said the queen; "and I shall not suffer Macgill to come into my presence, nor any one of those who have set themselves against your mistress."[1] Herries, of course, did not waste this last opportunity of pressing that Elizabeth should admit her sister to a royal conference, and take steps for her immediate restoration. If she would not act thus, would she then let matters return to their former shape by permitting his mistress to re-embark in the open boat in which she had crossed to England? This was treated as a touch of petulance. The queen, so long as she had it in her power, would be bound to stand between

[1] "'Il est vray,' dict la royne; 'et je ne souffriray poinct que Makgill vienne en ma présence, ni pas ung de ceulx qui sont contre votre maistresse.'"—Teulet, ii. 240.

her sister and an escapade so foolish and dangerous. Would she then be permitted to seek refuge in France? It happened that on the same day Cecil was writing anxiously to the English ambassador in France about rumours of an expedition to Scotland in concert with the Hamiltons.[1] This proposal, however, like the other, was met with banter, but of a more bitter and significant kind. When she sojourned there of old she had taken the armorial achievements and the title of Queen of England; when she reached French ground she would perhaps do so again.

In fact this affair was the subject of serious discussions which Herries had no opportunity of reporting. Queen Mary had never personally ratified that treaty of Edinburgh in which her pretensions to the throne of England were abandoned by those who professed to represent Scotland. On this point, as on that of the royal assent to the Acts abolishing the old Church and establishing the new, she adopted the same negative policy, and in both she exemplified the potency of silence. She felt in both instances the strength of her position. If the Estates urged her to ratify their Acts, this was an admission that her assent was necessary—an admission that would help to exclude them from the statute-book if the assent were in the end refused. So it was a questionable policy to press on her the ratification of the treaty of Edinburgh, as such pressure would reveal anxiety and danger, and might not in the end be effective. It will have to be told that one of the duties of the commission appointed about Queen Mary's affairs was to procure this ratification. The question did not come up in the course of

[1] Cabala, 150.

the discussions, and these included so much other matter of personal interest that the omission has rarely been noticed; but this omission was afterwards the foundation of a grave charge. Norfolk was the chief commissioner; and when he was put on trial for high treason, one of the items whence his treason was inferred was, that he took no steps under the instructions received by him about the ratification of the treaty; and it was charged against him that he "well and truly knew and understood that Mary, late Queen of Scots, had laid claim and pretended a title and interest to the present possession and dignity of the imperial crown of the kingdom of England;" and that down to the date of his treason, the 22d of September 1569, he knew that she "had not revoked or renounced her wicked and unjust claims and usurpations aforesaid."[1] Through all the phases of her correspondence at this period — be it vehement, sarcastic, conciliatory, or persuasive—no words appear that can be interpreted as a resignation of her right over England. I can recall but one allusion to it, and that is a threat that she will indorse it over to some prince better able than herself to give effect to it; and so, as we shall find in the end, she did. At the end of the month of December, when the long controversy we shall presently have to enter upon was drawing to its close, Cecil, in one of the many papers in which he suggested a line of policy for his mistress, referring to her rival, says: "Considering the said queen hath heretofore manifestly, in the sight of the whole world, a thing also now registered in chronicles, made title to this crown, and hitherto hath never made satisfaction for

[1] State Trials, i. 960 *et seq.*

the wrong, nor now cannot, she may not without great folly permit the said queen to be at liberty to become her enemy, and so to stir troubles by her allies abroad."[1]

This affair of the treaty was kept by English statesmen chiefly to themselves, and is but slightly alluded to in the communings with Herries. There was another matter of anxiety as to which it was necessary, so far as possible, to observe profound silence in all dealings with Scotsmen. This was the old question, never forgotten though often hidden out of sight, of the superiority of the crown of England over the realm of Scotland. The Privy Council enjoined extreme caution, lest, in the difficult and delicate negotiations in progress, anything should be done to endanger the ancient claim of the crown of England; but hitherto the noxious question had not intruded on the negotiations.

Towards the end of July Herries returned to his mistress, and reported the result to her. He desired that Scrope and Knollys should be present on the occasion; and Knollys, whose narratives have ever the merit of distinctness, retailed what was said to Cecil. The Queen of England's offer was put by Herries thus: "That if she would commit her cause to be heard by her highness's order, but not to make her highness judge over her, but rather as to her dear cousin and friend, to commit herself to her advice and counsel; and that if she would thus do, her highness would surely set her again in her seat of regiment and dignity regal in this form and order. First, her highness would send for the noblemen of Scotland that be her adversaries,

[1] Goodall, ii. 275.

to ask account of them before such noblemen of England as this queen herself should like of, to know their answer why they have deposed their queen and sovereign from her regiment; and that if in their answers they could allege some reason for them in their so doing (which her highness thinks they cannot do), that her highness would set this queen in her seat regal conditionally, that those her lords and subjects should continue in their honours, states, and dignities to them appertaining: but if they should not be able to allege any reason of their doings, that then her highness would absolutely set her in her seat regal, and that by force of hostility if they should resist, upon condition that this queen should renounce to claim, or have any present title to, the crown of England during the continuance of her highness and the issue of her body; and also upon condition that this queen, leaving the straight league with France, should enter into league with England; and also upon condition that this queen should abandon the mass in Scotland, and receive the common prayer after the form of England: and this message the said Lord Herrys repeated seven or eight times in our hearing unto this queen; and although at the first she seemed to make some scruple in yielding hereunto, yet upon further conference with my Lord Herrys, she said she would submit her cause unto her highness in thankful manner accordingly."[1]

More astounding than the proposal of these stipulations about the mass and the Church of England was the spirit in which it was received. This, too, must be told in the words of Knollys, who had the best

[1] Anderson, iv. 109, 110.

opportunity of noticing what he speaks of, and can have had no temptation to exaggerate it: "As touching this queen, she hath used herself very discreetly in divers respects, and hath grown to a very good liking of our common prayer; and she hath received an English chaplain to her service that is a good preacher; and she hath heard him in his sermons inveigh against Pharisaical justification of works and all kind of Papistry, and that to the advancement of the Gospel, with attentive and contented ears; and she hath seemed repentantly to acknowledge that her offences and negligence of her duty towards God hath justly deserved the injurious punishment, as she saith, and disgrace done unto her by her adversaries in her own country. Now, whether the increase of her sober, religious, and repentant behaviour be done *bona fide* or not, I leave between God and her conscience; or whether the tyrannous subtilty of the Cardinal Lorayne and the ambitious heads of the house of Guise may call her back to perilous enterprises, I will not take upon me to judge."[1] When this good news was sent to Murray he suggested that resorting to the Church of England might serve her present turn "to move godly men to conceive a good opinion of her conformity and towardness." But he said, with a dryness almost approaching to humour, that if she were again on the throne, "it would be one of the most difficult conditions for any one to become good for that she should abandon the mass."[2]

It is clear that she had begun to play a deep game, and that so long as she thought it worth while she played it with wonderful success. She evidently had

[1] Anderson, iv. 113.

[2] Ibid., 115, 116.

not abandoned it when in the end of the ensuing February a correspondent of Cecil's reported having seen her, when "she heard the English service, with a book of the Psalms in English in her hand, which she showed me after."[1] Had Knollys and others about her known all that has since been revealed, they would have felt that there were few things in human affairs nearer to impossibility than the conversion of Queen Mary. Her entire devotion to the Church of Rome, if it may not be called a good, is at least a grand, feature in her character. Except while under the dominion of that fatal passion to which she sacrificed everything around her, and sacrificed herself, never had she failed to hold the service of the Church as uppermost among her duties. And both before and after the time when these symptoms of a satisfactory awakening were noticed, her marvellous capacity for baffling her keepers is shown in repeated assurances to her friends in France and Spain, that if appearances over which she, a captive, can have no control may turn against her, yet she is stanch, and will rather suffer death than do any act that may touch the supremacy of the true Church.[2]

[1] Murdin's State Papers, 509.

[2] "L'ansienne religion, en laquelle j'espère mourir."—To Charles IX. of France, 21st June 1568; Labanoff, ii. 113. "Dieu m'esprouve bien; pour le moins assurez-vous que je mourray Catholique."—To the Cardinal of Lorraine, 21st June; ibid., 117. "Je vous assure, et, vous supplie, assurés en le roi, que je mouray en la religion Cattolique Romaine."—24th September, to the Queen of Spain, to whom she would fain send her son, and "soubmetre à tous dangers pour establir tout ceste isle à l'antique et bonne foy."—Ibid., 183-87. This remarkable letter, repeatedly referred to in the text, is worthy of careful study as a revelation. If Mary opened her heart to any one, it was to this young sister-in-law. She enjoins secrecy, for there are things in that letter for which she would be put to death. It is in this letter that she speaks of the influence she had established among the Roman Catholics of the north, and other perilous matter. To have written and despatched from her prison

Noting that the form of Protestantism to which she professed an inclination was that of the Church of England as distinct from the Calvinism of Scotland, we may perhaps find some light upon her motives from a passage in the instruction afterwards issued by her to her commissioners at the conference of York :—

"When it was desired that the religion as it presently is in England should be established and used in my realm, it is to be answered by you, that albeit I have been instructed and nourished in that religion whilk hath stand lang time within my realm, and been observed by my predecessors, called the auld religion, yet, nevertheless, I will use the counsel of my dearest sister the queen's majesty of England thereanent, by the advice of my Estates in Parliament, and labour that is in me to cause the same have place through all my realm, as it is proposed to the glory of God and uniformity of religion in time coming." [1] If she undertook to get the Estates of Scotland to abjure the creed and forms which had been modelled on the practice of France, and to substitute for them those of England, she did what she could do with entire safety, since she had not the faintest chance of being permitted to keep

such a manifesto, shows her wonderful capacity for securing faithful services, and her equally wonderful courage in relying both on the fidelity and the skilfulness of those who served her. She wrote afterwards to Philip himself, and to his minister of evil, the Duke of Alva, in the same strain.

In the manifesto issued in her name to all Christian princes, her dealing with those who made her tempting offers for the abandonment of her faith is described as "leur disant haut et clair que plustot elle perdroict la vie avec sa couronne et liberté pour jamais, que de quicter aucune chose de la religion en laquelle seule consiste le salut de l'âme."—Teulet, ii. 249.

[1] Goodall, ii. 346.

her promise. To have engaged this for the propitiation of Elizabeth would have proved a repetition of the farce of the "assured lords," who bought their liberty from Henry VIII., by a promise to betray their country which they were unable to keep.

The troubled state of Scotland, and other incidental causes, delayed the first steps in the great business until the approach of winter. The only notable incident during the interval was an address to Queen Elizabeth by the leaders of Queen Mary's party, calling for an armed intervention for the suppression of the rebellion and the restoration of the Queen of Scots. They rested on arguments which had at that stage of the business been many times repeated, and the most notable feature of their appeal is that the Hamiltons were no party to it, unless they were represented by the Archbishop of St Andrews.

In September the commission of inquiry was issued under the great seal of England to three persons—the Duke of Norfolk, the Earl of Essex, and Sir Ralph Sadler. No doubt it had been drawn and adjusted with much anxious criticism. There is perceptible a skilful touch in conferring on the confederates a certain quality of royalty. They are not the rebels and traitors they had so often been called in documents both of England and Scotland, but persons "who have submitted themselves under the obedience" of "our cousin the prince, son of our sister the queen:" it was on the face of the commission rather a family dispute than a question about a national revolution. The duty of the commissioners was to settle "all manner of hostilities, differences, controversies, questions, matters, debates, and contentions," arising out of

the family division. Besides these instructions, only rendered more vague by multiplicity of words, there were others for confirming or improving the treaty of Edinburgh—that which professed to withdraw Queen Mary's claim on the crown of England.[1]

The commissioners named by Queen Mary were Leslie Bishop of Ross, Lord Livingston, Lord Boyd, Lord Herries, Gavin Hamilton the Commendator of Kilwinning, Gordon of Lochinvar, and Sir James Cockburn of Skirling. The version of their commission which has come down to us is a short document, stating that Queen Elizabeth had engaged to restore the Queen of Scots to her realm and authority, from which she had been extruded by certain of her "disobedient and rebellious subjects:" they are empowered to co-operate with her sister's commissioners for the furtherance of this end.[2] The English took a technical objection to this commission as not sufficiently broad to meet their own; and it was afterwards enlarged by the addition of a clause giving "authority and power to treat, conclude, and decern upon all matters and causes in controversy between the Queen of Scots and

[1] Anderson, iv. p. ii, 6, 7.

[2] Ibid., 34. There is some mystery about this version of the commission. Of that which was shown to the English commissioners, it is complained by them that it contains a condition restraining her commissioners "by special words to treat and agree upon anything that might touch the said queen in her estate and honour," and also limited their power by certain "private articles and instructions." The Scots commissioners proposed to withdraw this commission and obtain another in more satisfactory form.—Ibid., 26, 27. The document referred to in the text does not contain such clauses as the English objected to; yet it cannot well be the amended commission, since it is dated on the 29th of September, and the meeting at which it was criticised was held on the 2d of October, while it does not contain the additional clause referred to in the text.

her subjects, so always as the same do not touch the title of her crown nor sovereignty thereof."[1]

Though Queen Mary's commission was a short document, her instructions to those who held it were long and full. Yet long and full as they were, so nervous was their mistress as to anything they might commit her to, that she charges them, "how soon anything bes answered by my disobedient subjects to the complaints foresaids, ye shall desire the same to be given in writ, to the effect ye may advise thereon with myself ere ye answer thereto, I being so concerned, specially if the same touches my honour, whilk I esteem mair tender than my life, crown, authority, or any other thing on earth." The bulk of these instructions is the oft-repeated narrative of the conduct of her subjects towards her. She offers to forget and forgive all if they will return to their allegiance. She will not submit herself to the judgment of Elizabeth, or of any prince or judge on earth; but she is content to take the counsel of the Queen of England as to the measure she shall deal out towards her rebellious subjects. If she is charged with the murder of her husband, it is to be denied. As appropriate to this, one item of the instructions stands separate and significant, in its anticipation of the production of the casket letters—a contingency which, as we shall see, did not come until an advanced stage in the conference: "In case they allege they have any writings of mine, whilk may infer presumptions against me, in that cause, ye shall desire the principals to be produced, and that I myself may have inspection thereof and make answer thereto; for ye shall affirm in my name I never writ anything concerning

[1] Report by the English commissioners, 17th October; Goodall, ii. 174.

that matter to any crêature. And if any such writings be, they are false and feinyet, forgit and inventit by themselves only to my dishonour and slander; and there are divers in Scotland, both men and women, that can counterfeit my handwriting, and write the like manner of writing whilk I use as well as myself, and principally such as are in company with themselves."[1]

The queen's commission was accompanied by a paper of resolutions and instructions signed by a body of her chief supporters. This, no doubt, was designed to balance the Parliamentary authority by which all the proceedings in the name of the infant king were sanctioned.

A third commission was issued in the name of "James, by the grace of God King of Scots." The commissioners named in it were Murray, Morton, Adam Bothwell Bishop of Orkney—the same who had performed the ceremony at the queen's last marriage—Robert Pitcairn Commendator of Dunfermline, and Lord Lyndsay of the Byres. Their functions were briefly expressed. They were "to convene with the commissioners and deputies of our dearest sister the Queen of England," and explain the causes whereupon "divers of our nobility and good subjects," during the time of his mother's reign, rose in arms against her, and put her under restraint, with power to adjust all matters arising out of that business. There were powers for dealing with the treaty of Edinburgh, either by confirming or revising it, all for "the maintenance of the true religion publicly professed by the inhabitants of both the realms," and resisting any foreign power or party at home that

[1] Goodall, ii. 337-43.

might disturb "the unity of the said religion; as also for increase of amity, peace, and concord betwixt our said sister and us, our realms, dominions, people, and subjects." On reading the three commissions, a stranger to the accompanying facts might naturally think that of all the three potentates whose names were used, King James was the one most completely at his ease about his royal rank and prerogatives.

There exist instructions for the guidance of the English commissioners more important in their revelations than all the three commissions. Of these a portion — to appearance very carefully adjusted under Cecil's revisal—contemplated the restoration of Queen Mary, and made provision accordingly. As the policy so laid down was never practically tried, or even seriously discussed, a brief notice of it may suffice, as showing a future which was at least so far within human possibility that the sage servants of the English crown thought fit to provide for it as a contingency. It was proposed that the queen should govern through a council not of her own selection. The members were to be appointed at the conference, and there was to be an arrangement for filling vacancies by a vote. This was virtually a permanent council of regency; in modern phrascology it was putting the crown in commission. There were arrangements for an appeal to Queen Elizabeth as umpire when difficulties of a specified kind might interrupt the working of this State engine. It was an instruction to the commissioners that they were to get this arrangement suggested "by the said Queen of Scots' own princely motion, upon good persuasion to be made to her on that behalf."

The treaty of Edinburgh was to be confirmed, that treaty so often referred to as stipulating that Queen Mary should abandon her claim to the crown of England. In demanding this confirmation, the English commissioners were instructed to offer a concession of an interesting and important kind. It was intended by the treaty to exclude all claim by Queen Mary during the life of Queen Elizabeth or her descendants. But in case it might be inferred, owing to the dubious terms of the treaty, that the exclusion was absolute, it was to be stipulated that "no part of the said treaty made at Edinburgh shall bind the said Queen of Scots or her children after the determination of the life of the queen's majesty—which God long preserve—and the heirs of her body." This concession was not suggested by empty generosity. The old league with France was to be so far modified that Scotland was not to assist the French in an invasion of English dominions; and should the Queen of Scots do anything to assist a hostile invasion of these dominions, she was to forfeit all title to the succession.

Passing from these specimens of unproductive statecraft, we find an item in these instructions of far more vivid interest, so far as we have to deal with the personal character of the two queens. It may be remembered how Murray pressed for an announcement of the course to be taken by the Queen of England if the contents of the casket were found to be identical with the copies sent to England for perusal. The instructions, by way of dealing with this appeal, put the supposition that the king's party may be deterred from proffering their charge "upon the doubt they have that the queen's majesty will, notwithstanding any crime

proved upon her, restore her to her kingdom and rule," whereupon they should never be free from her indignation. Then follows this distinct instruction: "It may be answered by the queen's majesty's commissioners, that indeed her majesty's desire hath been always from the beginning that the said queen might be found free, especially from the crime of her husband's murder. Nevertheless, if her majesty shall find it to be plainly and manfully proved—whereof she would be very sorry—that the said Queen of Scots was the deviser and procurer of that murder, or otherwise was guilty thereof, surely her majesty would think her unworthy of a kingdom, and would not stain her own conscience in maintenance of such a detestable wickedness by restoring her to a kingdom." On the other hand, the grave charges went no farther than "suspicions and conjectures;" and if nothing could be proved against her save some indiscretions, it would be proper to consider how she might be restored without power to do mischief; and it was to this end that the limitations above referred to were devised.[1]

Here a distinct change has come over the tone and policy of Queen Elizabeth. That high position of a divine right never to be questioned by subjects is abandoned. She tells the rebels and traitors of her former denunciations that there are possible conditions under which the queen they have deposed ought not to be restored. And here, no doubt, Queen Elizabeth's conduct courts the reproach, that while she refused to hear subjects on a charge against their sovereign, she invited them to promulgate their charges in their own

[1] Anderson, iv. 8 *et seq.*

defence. Nay, farther, she drove them to the point that the crimes of which they charged their queen must be of the deepest dye, and the evidence in their support absolute and overwhelming; for on these conditions alone could they keep their deposed sovereign from the throne and provide for their own safety. Thus Queen Elizabeth, who refused to hear the charges against her sister queen, made sure that they should be made, and made in the most aggravated form. Such a conclusion would be irresistible under the usual method of treating this affair as a mere personal contest between two rival queens who hated and tried to ruin each other—a contest wrought up into a picturesque tragedy, relieved by touches of comedy or farce where the bitternesses or weaknesses of the two furies becomes irresistibly ludicrous. No doubt there was personal jealousy and contention; but there were powers at work so strong as to lead towards broader purposes all such secondary influences. At that time any probable concurrence of events—as, for instance, the paralysis of the Huguenot party in France, or the subjugation of the Dutch—might virtually arm all Europe against the English Government. Nor was it expected to be a war for the subjugation of the English people, all united to meet the enemy with their old stubborn courage. The strangers would seek only to drive the heretic queen from her throne; they would find sympathisers, if not actual allies, in a large body of her people still attached to the old Church. The Romish party in Scotland would vigorously aid a project to place their own queen on the throne of England; and there would be such things done in Ireland as, if they might not materially affect the condition of Europe,

would leave tragic recollections behind them. In the king's party Murray and the other leaders had serious political problems to solve. These stood in the way of his acting either the devoted or the treacherous brother, if either had been his object. And even among the adherents of Queen Mary, subject as they had been to the unsettling influences of her wild and wayward career, there were those who had a public policy in view outweighing personal considerations. Some there may have been who believed in her innocence; but to many this question was of secondary consideration. They held, and honestly held, the doctrine that the crimes and follies of princes are to be buried in silence and blindness. They were not to be told to the world, and they were not even to be seen by the eyes that looked upon them.

Besides the great questions arising out of foreign policy holding influence over the attitude taken by England, there was a point of policy more domestic in its character which materially influenced the form and tenor of the conduct of the English Government towards Scotland. This is the old question of the feudal supremacy of the crown of England over the crown of Scotland. The forged documents so distinctly setting forth this supremacy had now been more than a century among the English archives. Now that they were themselves old, it was less easy than ever to prove the falsity of the internal evidence that they were three hundred years older. No English statesman had more occasion to doubt the story they told than he had to doubt the venerated records which proved the prerogatives of the Crown, the jurisdiction of the courts of law, and the privileges of

the peerage. Without keeping this fact ever in view, it is impossible rightly to understand the conduct of English statesmen throughout the history of Queen Mary. Perhaps none of them contemplated an offensive or oppressive use of the feudal supremacy. It was to be employed magnanimously in the construction of one grand empire out of the two nations. We have already found Cecil projecting beneficent projects to be wrought out by England's supremacy. If there was something of the domineering and the intermeddling in the conduct of England, it would all come forth as moderation and duty when the removal of prejudices gave freedom for explanation.

Meanwhile it was necessary so long as possible to conceal this motive-influence from the unreasonable and irritable Scots. Up to the point we have reached in the negotiations about Queen Mary, it is repeatedly referred to in the instructions and other documents intended solely for English eyes — never in those which had to pass into Scotland. A juncture, however, had now come when it appears to have been considered that the danger must be faced. Perhaps a protest by Queen Mary's commissioners, that their mistress, in seeking the intervention of her good sister, did not as a sovereign princess recognise any judge on earth, may have rendered an appeal to the supremacy a technical necessity. At all events the Queen of England's commissioners protested, as to the claim of the Queen of Scots, "that they neither did nor would admit nor allow the same to be in any wise hurtful or prejudicial to the right title and interest incident to the crown of England, which the queen's majesty and all her noble progenitors, kings of this realm, have

claimed, had, and enjöyed, as superiors over the realm of Scotland."[1]

The commissioners, reporting to their mistress, told the result in these curious terms: "And so we passed over the matter with them in merry and pleasant speeches, not yielding to their opinion nor they to ours touching the matter contained in our said protestation."[2] One who had good means of information tells us that when the matter of supremacy and homage was pressed upon the commissioners of the young king, an angry flush passed over Murray's face; but Lethington seized the opportunity for the display of one of his favourite accomplishments, and flung back a scornful answer, fitted to drive the proposal out of the range of serious business: it would be time to adjust the question of homage when the lands between the Humber and the Tweed, for which it had been rendered, were restored to the crown of Scotland; "but as to the crown and kingdom of Scotland, it was freer than England had been lately, when it paid St Peter's penny to the Paip."[3] It is a feature in all the codes of law rooted in feudal usages, that claims which there is no intention and perhaps no ability to enforce, must at all events be stated at intervals to save them from extinction, the acquiescence of the opposite party not being necessary for the preservation of the latent vitality. The policy of the English commissioners seems to have been modelled on such precedents.

[1] Anderson, iv. 50. [2] Ibid., 42.
[3] Sir James Melville's Memoirs, 206.

CHAPTER LII.

Regency of Murray.

(Continued.)

OPENING OF THE INQUIRY—THE CHARGE OF REBELLION AGAINST MURRAY AND HIS PARTY—THEIR DEFENCE INVOLVING A COUNTER-CHARGE, BUT RESERVING THE CHARGE OF MURDER—THE REMOVAL OF THE INQUIRY TO LONDON—THE ENDEAVOURS TO DISCOVER WHAT THE RESULT WOULD BE WERE THE CHARGE MADE AND PROVED—PRIVATE DISCUSSIONS OF THE CASKET LETTERS—QUEEN MARY'S CONFERENCES WITH THE BISHOP OF ROSS ON THE SAFEST COURSE—DIRECTS ANY CHARGES AGAINST HER TO BE DENIED—LETHINGTON'S MACHINATIONS—THE DUKE OF NORFOLK—HIS ACQUAINTANCE WITH THE CHARGES, AND HIS PROFFERS TO QUEEN MARY—THE POLICY OF SUCH A MARRIAGE CONSIDERED—THE RESERVATION OF THE PUBLIC CHARGE OF MURDER—MADE AT LAST—THE EFFECT ON THE DISCUSSIONS—THE BOOK OF ARTICLES—THE PRODUCTION OF THE CASKET LETTERS—TENDERING OF THE TESTIMONY OF THOMAS CRAWFORD AS TO THE MEETING IN GLASGOW—PERPLEXITIES OF THE BISHOP OF ROSS—THE INQUIRY GRADUALLY CLOSES—INCOMPLETENESS OF THE APPARENT RESULTS—REAL RESULTS BEHIND THEM.

So began the great process which, standing, as it does, alone in feudal history with no precedent, has naturally enough excited much discussion on the question whether it was lawful or unlawful. It must have made an animated scene in York. As bitter enemies had to walk the streets and meet each other, anxious arrangements were made by the English Government

for the preservation of the peace, and they appear to have been successful. Many were there besides the commissioners and the necessary staff of officers. Murray had with him Macgill, Buchanan, and, as we have seen, Lethington. It was said that the regent was afraid to leave this versatile man behind lest he should work mischief; but, as we shall see, he might have had less opportunity for such work at home than he found in England.

Besides the Scots commissioners, who were supposed to represent public interests, another accuser was at work whose motives were avowedly of a narrower kind. This was Lennox, the father of the murdered Darnley. We have seen how his efforts to bring Bothwell to justice were baffled. It was but natural, after what had passed then and since, that he should help the combination against her who had first shielded and then married the murderer of his son. He was in a position to know all. He knew the story told by the casket letters, and had peculiar facilities for deciding whether they were genuine or false, since, as we have seen, he had in his possession a report, set down by another observer, of the conversations detailed in them. If the letters were forged to shape them to this report, or if this report had been adjusted to confirm the story told in the letters, Lennox must have known the real truth. Whatever he believed, there are traces that he busied himself in collecting collateral evidence, tending not merely to support the joint story of the casket letters and of his own adherent, but otherwise to bring home guilty conclusions against his son's widow.[1]

[1] Notes on the Hamilton Papers by George Chalmers, edited by

When in point of form the controversy had begun, it was in form only. The two parties pretended to attack and defend under a tacit understanding that the real contest should be deferred. The chief reason for this was, that the assurance as to the ultimate steps to be taken in the event of Queen Mary's guilt being proved was only partially satisfactory. Elizabeth had changed her tone, and had said what would have been sufficient to commit a more scrupulous person to the desired course of action; but Murray, knowing by bitter experience with whom he had to deal, required stronger assurances before he took that step, which, in the understanding of all concerned, was to close the door against all possibility of reconciliation between the two great parties in Scotland—the step of publicly charging the Queen of Scots with murder at that tribunal which the Queen of England had set up. Whether Murray's party ought to have felt satisfied was matter of much discussion among the commissioners. It seems needless to enter on an analysis of their subtle altercations, and to be sufficient to give in its place the demand ultimately made by Murray's party.

The etiquette by which Elizabeth professed to guard the sovereign dignity of the queen who was yet to plead before her was formally observed. She was to be the accuser, and her subjects were to be heard

Joseph Robertson for the Maitland Club Miscellany, vol. iv. part i.: "He calls the queen the destroyer of his family, and of all his friends and servants, of which he says there is sufficiency in her own handwrit, by the faith of her letters, to condemn her. Nevertheless he would have them, by all possible methods, to search for more matters, not only against her, but against all those who had come thither (to England) in company with her, and by what means the articles which he had sent them might be made out."—P. 118.

only in their defence. The queen accordingly made her charge of rebellion. The point of time at which her narrative begins is that of the assemblage at Carberry Hill, so that she has no occasion to refer to the murder of her husband or the existence of such a person as Bothwell. In brief formal terms it is told how she was forcibly conveyed to prison, and how on her escape she was again assailed by force. These undutiful acts in the end compelled her to come to England, to require of the queen her nearest relation "favour and support, that she may enjoy peaceably her realm according to God's calling, and that they her subjects may be caused recognise their dutiful obedience." There is no demand for punishment or outburst of revengeful wrath; and those partial to such close examinations would find an interest in comparing this document with the passionate and fierce appeals made by Queen Mary to her friends abroad and to Elizabeth herself. Murray and his colleagues made answer, going farther back. They mention the murder, saying it was committed by Bothwell, and was followed by his "attaining to" a marriage with the queen. These things are briefly and gently told as the cause of what followed. Her unfortunate position demanded their intervention, and compelled them "to sequestrate her person for a season." Then, weary of spirit, she abdicated her crown in favour of her son, and authorised her brother to act for him as regent. All this was confirmed in Parliament; and the new Government was duly honoured and obeyed, until certain evil-minded persons, "disdaining to see justice proceed as it was begun, and likely to have continued, to the punishment

of many offenders over the haill country," practised to reinstate the power of the ex-queen, contrary to the Act of Parliament and the established rule over the land. Thereupon they require that the king and regent in his behalf "may peaceably enjoy and govern his realm according to God's calling, and that his majesty's disobedient subjects may be caused recognise their debtful obedience." There is a reservation that the commissioners may "eke" or add to their statement; and what they did eke was, as we shall find, far more important than the statement itself.

Before issuing their defence, these commissioners had prepared a document of a different kind. The charge was issued on the 8th of October, and next day Murray laid on the table a set of "articles" or "demands." The first was, "We desire to be resolved whether ye have commission and sufficient authority from the queen's majesty of England to pronounce in the cause of the murder guilty or not guilty, according to the merits of the cause, and as ye shall see matter deduced before you." The reasons for such a demand have already been discussed.[1] The articles demand an anticipation of the result. If the decision be "guilty," will she be either delivered to the Scottish Government, or detained in England so as to be kept from mischief? and will the Queen of England concur in what has been done in Scotland since the meeting at Carberry Hill, and honestly support the young king's rule, as established by Act of Parliament?

On the 11th Queen Elizabeth's commissioners wrote to her a remarkable letter. They call attention to the Scots commissioners' articles as matters on which it

[1] See above, p. 77.

was but reasonable that the Scots should desire to be satisfied before they made their full charge. But there is matter of deeper interest in the letter. The English commissioners were privately shown the contents of the casket; and they give a description of them, and of the effect produced on those who saw them. After mentioning several of the documents in their order, the English commissioners say: "Afterwards they showed unto us one horrible and long letter of her own hand, as they say, containing foul matter, and abominable to be either thought of or to be written by a prince, with divers fond ballads of her own hand; which letters, ballads, and other writings before specified, were closed in a little coffer of silver, and gilt, heretofore given by her to Bothwell. The said ballads and letters do discover such inordinate love between her and Bothwell, her loathsomeness and abhorring of her husband that was murdered, in such sort as every good and godly man will not but detest and abhor the same. And these men here do constantly affirm the said letters and other writings produced of her own hand to be of her own hand indeed, and do offer to swear and take their oaths thereupon, the matter contained in them being such as could hardly be invented or devised by any other than by herself; for that they discourse of some things which were unknown to any other than to herself and Bothwell; and as it is hard to counterfeit so many, so the matter of them, and the manner how these men came by them, is such as it seemeth that God, in whose sight murder and bloodshed of the innocent is abominable, would not permit the same to be hid or concealed." It is clear that these men, who were not fools, were at

once convinced that a true story had been revealed to them.

The qualification that they have but the word of the Scots commissioners for the handwriting being Queen Mary's is frequently repeated, but it is pretty clear that the commissioners had not much doubt on the point. The tone of their letter creates one of the minor mysteries of the drama. It is evidently the writing of men who have become acquainted for the first time with the tenor of the casket documents; and yet, as we have seen, Murray sent a copy of these for their instruction. They noted, for the use of their mistress, "the chief and special points of the said letters," a trouble that would have been unnecessary had a full copy of them been for some time in their own and their queen's hands. These notes contain extracts, the effect of which, as we have already seen, has been to preserve the most flagrant passages of the documents, and so to show that any subsequent tampering with them would have been a useless act.[1] The notes are sent, as they say, "to the intent it may please your majesty to consider of them, and so to judge whether the same be sufficient to convince her of the detestable crime of the murder of her husband, which in our opinion and consciences, if the said letters be written with her own hand, is very hard to be avoided; most humbly beseeching your majesty that it may please the same to advertise us of your opinion and judgment thereon, and to direct us, with such speed as to your highness shall be thought convenient, how we shall proceed farther in this great matter."

[1] See chap. xlvii.

It has to be remembered that this private revelation to the English commissioners of the casket documents was made that Murray's party might feel their way before they did that which was to close the door of reconciliation—before they brought up the charge of murder as one of the points to be investigated by the commission. It was to be a thoroughly confidential matter between the two groups of commissioners, as if they were private persons giving information to each other on a delicate affair. Murray's party believed that they had buried this conference in dead secrecy, but Queen Mary's commissioners discovered it. They immediately told it to her, and she fashioned her policy accordingly.[1] Nothing that the English commissioners could say sufficed to place Murray's party at ease about the great question, What if all were proved? The reading of the involved and hesitating assurances given to them is apt to excite a sympathy with their suspicion; for it is clear that the English commissioners were not themselves assured, and were afraid to use clear honest words, if these were to commit their mistress to a course of action. At length there arrived a document which looks as if it ought to have satisfied the suspicious Scots. It contained a specific answer to each of Murray's articles. On the question whether the commissioners have authority to decide guilty or not guilty, it is answered that they have. On the question as to what would be done if the finding were "guilty," the assurance is, "If the Queen of Scots shall be justly proved and found guilty of the murder of her husband, which were much to be lamented, she shall be either delivered into your

[1] Knollys to Norfolk; Goodall, ii. 159.

hands upon good and sufficient sureties and assurances for the safety of her life and good usage of her, or else she shall continue keeped in England upon the reasonable charges of the crown of Scotland, in such sort that neither the prince her son, nor you the Earl of Murray, nor any other, for holding part or maintaining the said prince, shall be in any danger by her liberty." On the question how far she would support the existing Government, the answer was, that as to the past, she would "allow the proceedings," as far as these could be shown "to have been lawful by the former laws of Scotland" in force when they were done. For the future, her majesty, "according to the said laws of Scotland, and in respect of the demission of the crown made by her to the said prince her son, if the same may be proven, will maintain the authority of the same prince to be the king; and the regiment of the said realm now being in the possession of you, the Earl of Murray, until it shall and may be also duly proved by the laws of the said realm that any other person of that realm ought by right to be regent or governor of the same, or that any other form of government ought to be there used or allowed." These were distinct answers; yet a shade of dubiety was thrown across them by a preamble, where their author, while she freely announces her good intention, "yet she meaneth not nor will that any person do thereof interpret that thereby the said Earl of Murray, or any with him, should be boldened, moved, or anywise comforted to enter into accusation of the said queen for any crime or suspicion of crime; for that her majesty principally wishes that, upon the hearing of this great cause, the honour and estate of the said

Queen of Scots were preserved and found sincerely sound, whole, and firm."[1]

Before this paper was received the place of meeting of the conference had been changed, and other events had occurred to influence its character. For these we must look outside of the conference itself. Before, however, bringing up this branch of the narrative, it may be right to mention two passages of a secondary kind standing on the record of the conference. One of these was the rejoinder by Queen Mary's commissioners to the defence of Murray and his party. Within the limits to which the contest was restricted, it was full and persuasive. She was a sovereign, and her subjects had rebelled against her; this was the text, and the discourse distinctly brought it forth in detail.[2] The other document was a letter of special instruction by Queen Elizabeth to her commissioners. These unhappy men, if they had not known all too well the voice which spoke to them, might well have said with Job, "Who is this that darkeneth counsel by words without knowledge?" To abbreviate the meaning of sentences so adjusted as not to have a meaning is impracticable, and it would not aid the narrative to introduce such a document in full. It is more suitable as a study in royal or feminine correspondence than an aid to the reader, who could only be as much perplexed by its contents as those to whom it was addressed. She desires certain members of all the three commissions to come to her and discuss the matters referred to in the letter. That in her verbal communings she dispelled the darkness of her written sentences is not known, nor is it to be

[1] Anderson, iv. 109, 113. [2] Ibid., 80.

inferred from the conduct of her advisers, which was that of men in sore perplexity who wist not what to do. On one point there is a distinct announcement; but its distinctness is as curious and perverse as the cloudiness of the others: "In the dealing herein ye shall do well to have good regard that none of the Queen of Scots' commissioners may gather any doubt of any evil success of her cause, but that they may imagine this conference of ours principally to be meant how her restitution may be devised with surety of the prince her son and the nobility that have adhered to him."[1] It will be noticed that not only does Queen Elizabeth here give no intimation that she will in any case further the restoration of Queen Mary, but she does not empower her commissioners to say that she will. They are only to have good regard that Queen Mary's commissioners shall "imagine" such a result.

On the 24th of October the conference was removed from York to London by Queen Elizabeth's order. The reasons for this step are set forth with the usual cloudy elaborateness; but it were needless to repeat them here, as there is no chance that the true reason may be found among them. This, indeed, must rather be inferred from the separate occurrences now to be looked into. The inquiry at this point assumed a more august shape. It was to be held before the Queen of England in Council. Those named for the special duty were Sir Nicholas Bacon the Lord Keeper, Norfolk, the Lords Arundel, Sussex, Leicester, Lord Clinton and Saye, Cecil, and Sadler. The two sets of Scots commissioners continued as they were,

[1] Goodall, ii. 172.

and consequently the increase in number and rank of the English commissioners detracted somewhat from the character of a conference where all were on an equality, and assumed the air of a high court of justice. Guarding as well as they could against such appearances, Queen Mary's representatives objected to the holding of the meetings in the Painted Chamber, or in any other place where courts of law were in use to be held, or judicial business at any time transacted. To humour them Hampton Court was selected as the place. By an ingenious turn in their phraseology Ross and his brethren did still more to preserve their position. They spoke as ambassadors of a sovereign prince who met in equal conference with the representatives of another sovereign.

Down to the 26th of November the great charge had not yet been publicly made. Queen Mary was conscious that her enemies were approaching it, and in a manner flickering round it. At this critical juncture her conduct and deportment deserve all attention.

Her attached counsellor, Leslie, Bishop of Ross, was reluctantly compelled at Norfolk's trial to give an account of his intercourse with his mistress since her arrival in England. He came to her at Bolton about the 18th of September, and discussed the prospects of the conference with her. He found her expectation to be that Murray and the others were to be arraigned for their undutiful conduct; and then there was to be a compromise, and they were to be received into favour by the intervention of Queen Elizabeth. The bishop took a different view. He showed her that if her enemies were provoked they would tell all, and regretted that

she had allowed a conference: "I was sorry that she had agreed to any conference wherein they should be accused, for I was assured in that case they would utter all they could for their defence, although it were to her dishonour and that of the whole realm, for they would be loath to confess openly that they were evil subjects and she a good princess; and therefore I wished that the whole matter should first be treated by way of concord and agreement." There is something ominously suggestive in her best friend and supporter thus instantly reaching the conclusion that her enemies knew that which would put her in their power, and that it was dangerous to provoke them. Scarcely less suggestive was her reception of this warning. There was no haughty defiance of threatened calumny: "The queen replied that there was no such danger in the matter as I supposed; for she trusted I would find the judges favourable, principally the Duke of Norfolk, who was first in commission; and doubted not that the Earl of Sussex would be ruled by him as his tender friend, and Sir Ralph Sadler would not gainstand their advices."

The bishop goes on to tell with more minuteness the influences at work to this end, and the manner of the capture of Norfolk. In the midst of these secondary matters he describes an interview between himself and Norfolk: "I talked with the duke alone in a gallery, where he uttered to me he bore goodwill to the queen my mistress, and that he had talked with the Earl of Murray and Lethington at length, and had seen the letters which they had to produce against the queen my mistress, and other defences, whereby there would such matter be proven against her that would dis-

honour her for ever; and if it were once published, the queen's majesty of England would get counsel by such as loved not my mistress to publish the same to the world, and to send ambassadors to all other Christian princes to make the same known to them, that they could make no further suit for her delivery, and perhaps greater rigour might ensue to her person." It was one of Lethington's subtle suggestions that she might grant a confirmation of the abdication signed at Lochleven. As she was in durance, the confirmation would be as worthless as the original, and both might be abjured at the right time. To this the duke answered, "What if that were done to get quit of the present infamy and slander, and let him work the rest?"[1]

Among those who watched for the signs of coming events at Court, some had supposed that it would please Queen Elizabeth were her rival married to some suitable English subject. They thought it likely that she would take it well that he should be selected from her own kindred on the mother's side; it would be an advancement in rank to them, and there were no other persons of power and influence in the country over whom she had so strong a personal control. But there was a powerful subject who desired this honour for himself, even the Duke of Norfolk, the head of the commission. He had managed at a very early period to let her understand his views; for when she told Leslie the reasons for her sanguine prospects, one of them was, that "she understood of the duke's goodwill towards her, and the bruit was else spread abroad of a marriage betwixt the duke and her." At the same

[1] Murdin's State Papers, 52, 53; State Trials, i. 975.

time the bishop tells that, in a conference with Lethington and Sir Robert Melville, on which they "talked almost a whole night," Lethington told him how "he had conferred with the duke, who seemed to have great goodwill to the queen my mistress, and had willed him to counsel the Earl of Murray and others to abstain from uttering any dishonest matter against the queen, but to grow to some composition among themselves; so that Lethington said it appeared to him that the duke had some intention of marriage with the queen, as the bruit was, and their party did wholly suspect some such like matter, and that he did verily believe that if it were followed the marriage would take effect, which would be most of all other things for the queen's honour and well."[1]

The new suitor had avowed his belief in her guilt. He was a party to that report by the commissioners about

[1] Murdin, 53. Bishop Leslie appears to have been the man who was deepest in the secrets about the project of the Norfolk marriage. A reader of his "Negotiations" might suppose him to say that it was encouraged by Queen Elizabeth and her Government as a serious object of English policy. The admission that it was otherwise is so casual that a careless reader might fail to notice it. Lord Boyd having come to him with Queen Mary's answers about the several matters under discussion, he says, "He and I conferred divers times with the Queen of England upon the contents thereof, saving the purpose of the marriage, whereupon the nobility and Council did treat with us, whom we thought credible that they would never have done unless they had made the queen their mistress privy thereto." Then, taking the tone of a man who, though he cannot distinctly charge any of them with falsehood or deceit, complains that the position of the men he dealt with, and the tone assumed by them, led him to expect results other than what occurred, he enumerates the magnates according to their heraldic rank, from Norfolk down to "the Earl of Leicester, great master of her horses, and most tender unto her," concluding that they were altogether persons "whose authority and credit was sufficient for us to deal with them."—Anderson, iii. 54, 55. The important words in this statement are "saving the purpose of the marriage," showing that this was not an article in these negotiations.

the casket letters, which leans so strongly to a belief in their genuineness, and speaks with so much horror of the wickedness they reveal. In putting his signature to this document, he might have only certified the expressions and opinions of his colleagues; but elsewhere he goes out of his way to speak in the same tone. So in a letter to Pembroke, Leicester, and Cecil collectively: "There is but two ways to be taken—the one, if the fact shall be thought as detestable and manifest to you, as for aught we can perceive it seemeth here to us, that condign judgment, with open demonstration to the whole world, with the whole circumstances, and plain, true, and indifferent proceedings therein, may directly appear; of which, for our own discharge, we do not omit to keep good and sufficient memorials, not forgetting with what manner of person we have to deal, nor yet how the upright handling of this cause shall import us both in honour and honesty to the whole world. The other is, if her majesty shall not allow of this, then to take such composition as in so broken a cause may be."[1]

It is natural to connect with this affair a sudden change in the captive's designs about Bothwell. Heretofore she has been found to spurn with angry disdain all suggestions to repudiate him. But on the 21st of October she gives authority that if the illegality of that marriage be mooted, "ye shall answer that we are content that the laws be sued for separation thereof, so far as the same will permit."[2] In fact she granted a commission to Lord Boyd to sue out a

[1] Anderson, iv. (2) 78. The "good and sufficient memorials" were doubtless the notes of the casket documents preserved by the commissioners.—See above, p. 181.

[2] Labanoff, ii. 221.

divorce in her name, because her marriage with Bothwell "was for divers respects unlawful," and "the same does touch us so highly in honour and conscience, that it daily and hourly vexes our conscience."[1]

The wooing of Norfolk and the fugitive queen is one of the mysterious passages in history. There is an unpleasant indistinctness as to the policy or motive influencing either the principal actors in it or their abettors. We know so much of its secret movements as that Murray favoured it; but we cannot now tell why he should have done so, and contemporaries seem to have been equally puzzled. The perplexed speculator is tempted to seek refuge in the fact that the marriage was a pet scheme of Lethington's. What cannot be explained from the political conditions of the period is accounted for by the nature of the moving spirit. For the other actors of the time we find some motive in the broad face of politics: they were influenced by selfishness, or ambition, or zeal; they wanted wealth, or promotion, or the aggrandisement of family or party. The broadest and the purest motives among them were patriotism and religious zeal. But Lethington took his inspiration from the lamp. He tried such motive influences in politics as he found in the works of classical and Italian politicians. Among the common politicians of the day he was like an alchymist acquainted with formidable chemical combinations unknown to others, and not so well at his own command but that the result was often explosive and disastrous. On one point he might be trusted—he was patriotic. The honour of Scotland was safe in his keeping, safe from any design

[1] Boyd Papers, 24.

against it, though not from imprudent meddling. It has been said, indeed, in a quarter worthy of all respect, that the great passion of his life and the inspirer of his restless energies was the desire to see the house of Stewart reigning over England.[1]

With this caution against any attempt to draw an absolute conclusion, it may not be amiss to sketch the considerations most likely to be uppermost in such a scheming brain. There still dwelt among the English aristocracy that proud republican tone which had incited them to the barons' wars, and taught them to treat the monarch as chief among themselves rather than as a star apart. The clergy had been promulgating the divine-right doctrines of the civilians; and even the common lawyers had imbibed them, and were becoming servile to the Court. Since the beginning of the Tudor dynasty the power and dignity of the aristocracy had been sapped in many ways. Men of obscure origin, like Cromwell and Cecil, had lorded it over them, and become supreme in the State. Henry's marriage with the queen's mother had brought a whole troop of obscure relations to the steps of the throne. Norfolk was chief among the proud old nobility who had to bear all this, and was the natural man to head an effort for redress. To drive the present occupant from the throne, and place another there who would accept of the charge under conditions, was an almost constitutional form of redress in England; and such an effort would be favoured by the adherents of the old Church. Thus might Lethington see his vision of a Scottish sovereign ruling England realised. Had it come up while Mary's character was

[1] Froude, x. 32, 90.

still unstained, it might have had a good chance of success; but that it should now be available was an idea fit only for the restless mind of Lethington, if it really was the idea entertained by him. But even if we can in any satisfactory fashion adapt the project to the mind of Lethington, it is hard to see where there could have been room for it in the harder head of Murray. We must, it is feared, impute but a poor and unheroic motive to any countenance he gave it, and hold it to concur with the story that he was threatened with assassination near Northallerton, and that he was content to play such a part as would secure the protection of Norfolk, the potentate of the north of England. This affair was the chief new element in the great cause when it found its way to London.

It will be remembered that the fatal charge had not yet been uttered. Familiar with it as a statement bandied about in the documents of the time, it takes consideration to realise the fact that it should yet be to be made. We know that it stood on the records of the Scots Privy Council, that it was declared in an Act of the Scots Parliament, and that it was freely talked over by all the commissioners; yet we are bound to believe that the actual tabling of the charge in express words would be a crisis to all concerned. It was one fondly hoped against to the last by Queen Mary and her advisers, and to the accusers themselves it was a step pondered over as a perilous necessity. It would appear, that for all that had been done before, this was the one remaining step necessary as a public arraignment before the Courts of Europe. The minutes of the Privy Council, and even the Act of Parliament, would be at the command of the Govern-

ment of the day. In fact, if the queen had been restored with full authority, both the Privy Council and the Estates of Parliament would be treated as illegal bodies, and their proceedings would be waste paper. And as to the mere scandal privately circulated among the commissioners and the members of the Scots Estates—how lightly that might be treated we may infer from the conduct of Norfolk, who desired that things should remain as they were, so as to let his wooing proceed with decorum.

It must not be entirely overlooked, among the reasons against the public accusation, that the claims of the house of Stewart on the succession to the English throne were admitted by others than the stern Romanists who desired the removal of Elizabeth. Queen Mary was her legitimate successor, and if the succession should open in the course of nature, it would be an awkward contingency that she had been charged with murder. The succession was more likely to open to her son than to herself; and people who looked forward to the infant prince of Scotland as the possible King of England, foresaw that to him the accusation might carry matter of probable trouble and scandal, in his dealings with those who had charged his mother before the Privy Council of England with the murder of his father. According to Sir James Melville, Norfolk put it to Murray in these terms: "Albeit she had done or suffered harm to be done unto the king her husband, there was respect to be had unto the prince her son, whilk he for his part, and many in England, had, as Mester Melville, who had been late ambassador there, could testify; and therefore wished that the queen should not be accused nor dis-

honoured for the king her son's cause, and for the respect of the right they both had to succeed unto the crown of England."[1]

The external tone of the English commissioners is that of men impatient of time wasted, who ask why the threatened charge is delayed. The Scots should be brought to explain "why they do forbear in their answer to charge the queen with the guiltiness of the murder, considering their party have always given it out to the world that she is guilty."[2] Still, through these and other general invitations, the Scots hesitated to make the fatal accusation. We are told by Melville, who had good opportunities of knowing the secret movements, that Norfolk was the chief cause of this hesitation. While the others called on Murray not to doubt the fairly-avowed intentions of a Queen, he recommended that no reliance should be placed on any promise of Elizabeth that was not signed by herself, and also sealed. Anything short of this she would treat as words or paper wasted. For this advice Norfolk, if he gave it, is not to be charged with the sordid motive of trying to save a shred of the reputation of the woman whom he desired to marry. If he thoroughly believed that the assurances he was authorised to give would be repudiated, he knew that he dared not lay the blame of this repudiation on his unscrupulous mistress. It was doing something, then, to save the honour of himself and his colleagues, as well as obviating mischief elsewhere, if he could get the Scots to remain suspicious.

It was on the 26th of November that there came the full assurance already referred to—the assurance

[1] Memoirs of his own Life, 208. [2] Goodall, ii. 180.

that the English commissioners were authorised to find guilty or not guilty, and to act on the decision. On the same day the proceedings of the conference bear the weight of the great accusation. Even yet Norfolk seems to have dissuaded and Murray to have hesitated. The others of the Scots commission, however, were desirous that it should be tabled; the bulk of the English were equally desirous to have it. If we may believe a strange story told by Melville, the impatient majority got hold of the document, which Murray's secretary, Wood, held in his hand, and passed it over to the English commissioners.[1]

The great accusation lies, as a brief unobtrusive document, among the lengthy pleadings of the conference. In the other papers it is generally referred to as "the eik," being that eik or addition which the Scots commissioners reserved power to make to their defence

[1] We are to suppose that the other commissioners were prepared to press on Murray to tender the accusation when Norfolk asked for it: "Sa soon as he with his Council were within the council-house, the Duke of Norfolk askit for the accusation. The regent desired again the assurance of the conviction, by writ and seal, as said is. It was answered again, that the quenis majesty's word, being a true princess, wald be sufficient anough. Then all the Council cried out, Would he mistrust the quen, wha had geven such proof of her friendschip to Scotland? The regent's Council cried out also on that same manner. Then the Secretary Cecil asked gen they had the accusation there? 'Yes,' said Master John Wood (with that he plucked it out of his bosom); 'bot I will not deliver it untill her majesty's handwrite and seal be delivered to my lord.' Then the Bishop of Orkeney cleaks the writ out of Master John Wood's hands. 'Let me have it; I shall present it,' said he. Master John ran after him as gen he would have had it again, or rive his claiths. Forward passed the bischop to the council-table, and gave in the accusation. Then said to him my Lord William Howard, chamberlan, 'Well done, Bishop Turpy! thou art the frackest fellow amang them; none of them all will make thy loup,' scorning him for his louping out of the Laird of Grange's ship. Master Henry Balnaves only had made resistance, and called for the Secretary Lethingtoun, who tarried without the council-house; bot sa soon as Master Henry Balnaves

against the charge of rebellion.[1] After some preliminary mutterings about their having been driven in self-defence to "manifest the naked truth," they say: "It is certain, and we bauldly and constantly affirm, that as James sometime Earl of Bothwell was the chief executor of the horrible and unworthy murther perpetrate on the person of umquhile King Henry of good memory, father to our sovereign lord, and the queen's lawful husband, so was she at the foreknowledge, counsel, device, persuader and commander of the said murder to be done, maintainer and fortifier of the executors thereof, by impeding and stopping of the inquisition and punishment due for the same, according to the laws of the realm, and consequently by marriage with the said James sometime Earl of Bothwell, delated and universally esteemed chief author of the above-named murder; wherethrough they begouth [began] to use and exercise an uncouth and cruel tyranny in the hail

had callit for him, he came in, and roundit in the regent's ear that he had shamed himself, and put his life in peril by the loss of so good a friend, and his reputation for ever.

"The regent, who had been brought by his facility to break with the Duke of Norfolk, repented him again so soon as Lethingtoun had shown him the danger, and desired the accusation to be rendered to him again, alleging that he had some more to add unto it. But they said that they would hold that whilk they had, and were ready to receive any other addition when he pleased to give it in. The Duke of Norfolk had enough ado to keep his countenance. Master John Wood winked upon the Secretary Cecil, wha smiled again upon him; the rest of the regent's company were laughing upon other; the Secretary Lethingtoun had a sair heart. The regent came furth of the council-house with the tear in his eye, and passed to his lodging at Kingstoun, a mile from Court, where his factious friends had enough ado to comfort him."—Memoirs, 210-12.

The odd allusion to the agility of the Bishop of Orkney has to be explained by this, that he was in Grange's vessel in pursuit of Bothwell when it struck, and surprised those present by an agile leap on a rock, deemed a remarkable feat for a bishop.

[1] See above, p. 151.

state of the commonwealth, and with the first, as will appear by their proceedings, intended to cause the innocent prince now our sovereign lord shortly follow his father, and sua to transfer the crown fra the right line to a bloody murderer and godless tyrant." [1]

When the crisis of the long-expected enunciation was over, it would seem as if Queen Elizabeth's advisers thought it well to leave her at her own wayward disposal. Up to this point there is a certain measured tread of deliberation in the conference, irresolute and unconclusive as the conduct of the English commissioners often is. But now arose all the vehement incoherence of a passionate woman, whose wrath has been excited from various opposite quarters, and who no sooner seeks to strike at one of her tormentors than she is restrained by the reflection that this will gratify and encourage the others. That a sister queen should have to defend herself against the accusations of her traitorous subjects seemed an outrage on royalty not to be tolerated; yet, unless her sister clear herself of the vile charges laid against her, she will be condemned to eternal infamy all over the world. Her sister's rebellious subjects must not be permitted to pursue such base accusations; yet, if they do not thoroughly prove the truth of what they have dared to assert, they must expect to suffer—in her own phraseology, "they shall smart for it."

On one point only is she distinct. The Queen of Scots cannot be received at the English Court until she has established her innocence of the vile charges raised against her. It is on this point of the personal interview that the two queens are quite distinct, as

[1] Anderson, iv. 120.

positive and negative. Queen Mary's utterances as to the accusation are rather neutral and indistinct, than incoherent like her sister's; but she appeals almost more urgently than ever for a private personal interview, at which she is to confound her calumniators and set her sister's mind at rest. Part of the solemn farce played on the occasion was that Murray and his party were to undergo a formal rebuke administered by the chief-justice. He said to them that "her highness thinketh very much and very strange that, being native subjects of the Queen of Scots, you should accuse her of so horrible a crime, odible both to God and man—a crime against law and nature, whereby if you should prove it true, she should be infamous to all princes in the world; and therefore hath willed us to say unto you, that although you in this doing have forgot your duties of allegiance towards your sovereign, yet her majesty meaneth not to forget the love of a good sister and of a good neighbour and friend. What you are to answer to this we are here ready to hear." Thus were they driven closer than ever into the position that the atrocity of the acts charged by them demanded that their proof of these acts should be conclusive.

They explained that they made their charge with reluctance, that they reserved it until it was forced from them by the reiterated charges of treason and rebellion laid against themselves. They then produced a document sometimes called the "Book of Articles."[1] It classified the circumstances from which her guilt was to be inferred under five heads, and may in fact be called the indictment under which they

[1] Anderson, iv. 148; Goodall, ii. 234.

proposed that their charge should be brought to a trial.[1]

Two steps had been taken. A charge of murder had been tabled. The particulars of the charge had followed after the ordinary procession of the practice in criminal trials. Next was to come the proof. After all their reticence, the king's party had now no resource but to bring home the murder to the queen or meet their own ruin. So the accumulated mass of documentary evidence passed in on the English Privy Councillors in a torrent. The documents produced were of various kinds—Acts of the Scots Parliament and of the Privy Council; State trials connected with the murder; in general, all the successive documents which make up the history of the Court of Scotland

[1] The Book of Articles is not printed in any of the collections relating to Queen Mary, and it is not known to exist in any official or authenticated shape. In the "Hopetoun Manuscript," which contains several authentic papers ranging over the sixteenth century, there is a long paper written in the official hand of the period, which is supposed to be a copy of the Book of Articles. When this part of my book was written, the document was only to be seen in manuscript in the Register House in Edinburgh. It is now printed in the appendix to Mr Hosack's 'Mary Queen of Scots and her Accusers.' I therefore consider it unnecessary to burden my pages with an account I had prepared of its contents and method. I shall retain only, for the purpose to be presently stated, the following opinion on the claims of the document to be the one laid on the table on this occasion:—

On reading this paper, one has great difficulty in believing that it was deliberately laid before the decorous body of men, high in rank or office, who sat to hear what was said on either side. The tone and character of the paper are utterly at variance with the caution and reticence of Murray's party throughout. If this paper really was the one tabled by Murray's party, it does little credit either to their honesty or their skill. The prominent defect in Buchanan's Detection is, that it pushes secondary circumstances too closely home with special pleading. Here the defect is exaggerated—it covers the whole document; while we have no rush of energetic eloquence to sweep through such defects, as in the Detection. The great outlines of the tragedy are in fact

since the death of Rizzio. The contents of the casket seem to have been produced in instalments. A copy was made of them, and the originals were inspected at the pleasure of the English commissioners, in order that when they had satisfied themselves the originals might be returned to those who produced them. It was thought fitting to enlarge the body of statesmen to whom these secrets were to be revealed, and some of the most eminent English peers were commissioned to join them—Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick. All were bound over to profound secrecy. Of the manner in which the documents were examined the records of the Council say: "It is to be noted that at the time of the producing, showing, and

smothered in paltry details; and the reading of such a paper to neutral persons would be less likely to impress them that a great crime had been committed, than that the authors of the paper were very angry and malignant. Compared with the Detection, it might pass for the brief or memorial prepared by the pottering attorney who has nothing but prejudice and spite to stimulate him; while the other is the harangue which the eloquent and artistic counsel has created out of the arid material set before him.

To the opinion so expressed I still adhere, after having considered the able criticisms of Mr Hosack. I cannot but however rejoice that this, with the whole case, has been subjected to his acuteness. It was so overloaded with puerile pleading that it is eminently valuable to hear senior counsel on the merits. Of the other specimens of this class of literature, the best was the Life written by Mr Henry Glassford Bell when he was twenty-two years old. The cause was one suitable to the championship of chivalrous youth, and he did his knight-errantry becomingly. Patrick Fraser Tytler, who was bound by hereditary obligation to follow on the same side, when he came into the depths of the case threw up his brief; perhaps it might be more just to say that he felt it incumbent on him to act the judge rather than the partisan. It is infinitelysatisfactory to see the full compass of what can be said for such a cause, and to see it unsoiled by spasmodic eulogies and execrations. It is not the least valuable feature of such a book that it completes the order of literature to which it belongs; and we may now be content to think that we have seen the question argued out.

reading of all these foresaid writings, there was no special choice nor regard had to the order of the producing thereof; but the whole writings lying together upon the council-table, the same were, one after another, showed rather by hap as the same did lie upon the table, than with any choice made, as by the natures thereof, if the time had so served, might have been."[1]

The extent to which they satisfied themselves as to the genuineness of the casket documents is thus minuted. Having first dealt with the copies "of which letters the originals, supposed to be written with the Queen of Scots' own hand, were then also presently produced and perused, and being read, were duly conferred and compared for the manner of writing and fashion of orthography with sundry other letters long since heretofore written, and sent by the said Queen of Scots to the queen's majesty."[2]

Here they state that they had compared the letters; but they do not state specifically that the result was a belief in their genuineness. On the other hand, throughout the whole discussion—whether in the solemn proceedings of the conference, or in what is extant of the communings and correspondence of the parties engaged in it—no one will find, except in the instructions issued by Queen Mary before they were produced, the plea that the papers on which the charge was laid are forgeries. It would be difficult even to find a hint at such a possible solution of the great difficulty, a solution that would have brought joy to many affectionate hearts. If it should be said that Queen Mary herself, who knew best of all whether

[1] Goodall, ii. 259. [2] Ibid., 256.

they were her true writings or forgeries, was the person who ought to have pronounced, but the documents never came under her notice; then the alternative would be that her commissioners dared not tell her of them, and hence that they believed in them. But without doubt she knew from the beginning what sort of documents her enemies were prepared to produce if they found it necessary. It is said that Lethington having them for a time in his possession, his wife took a copy of them in one night. But whether this be a true story or not, we cannot doubt that Mary herself knew what the documents professed to be, and was silent on the question whether they were her own writing or forgeries.

We must remember, in looking at the discussion, the difference between the substance of the letters and the inference drawn from them. There are repeated protestations in a general shape that the charges against the queen are false and calumnious; but it is never distinctly asserted, as it has so often been in later times, that the papers brought to support the charge were forged. There is a marked reluctance to speak distinctly about them. The nearest approach to a specific assertion about the character of these papers is where it is asserted by Mary's commissioners "that whatever thing was produced by her rebels" after the 6th day of December "was but invented slanders and private writings, which could not prejudice her in any wise."[1]

[1] Goodall, ii. 312. It seems clear that the term "invented" applies to the slanders, not the writings. The first person to repudiate the documents as actual fabrications or forgeries appears to have been Adam Blackwood writing in 1587 (Jebb, ii. 242). On the question whether during the holding of the conferences it was asserted that the casket

Side by side with the casket letters it was natural that there should be tabled the report of Darnley's account of the conversation with his wife at Glasgow —that conversation which, if the casket letters were genuine, she reported to Bothwell. It lay with Lennox to bring up this morsel of testimony. We have seen that to all appearance he busied himself in getting up evidence against the woman whom he charged with the murder of his son. Closely as he was personally interested in the conference, he was no party to it; whatever share he took was like that of any other private person who could give assistance to the one party or the other. Hence whatever he may have done to stimulate the accusing party is not visible on the face of the proceedings. In sending his retainer to watch the visit paid by the queen to his son, her husband, he had, however, unconsciously prepared fatal evidence against her. We have seen already

papers were forgeries, the following passage in a letter from Sussex to Cecil claims notice: "This matter must at length take end, either by finding the Scotch queen guilty of the crimes that are objected against her, or by some manner of composition with a view of saving her honour. The first, I think, will hardly be attempted for two causes—the one for that if her adverse party accuse her of the murder by producing of her letters, she will deny them, and accuse the most of them of manifest consent to the murder hardly to be denied; so as, upon the trial on both sides, her proofs will judicially fall best out as it is thought."—The Earl of Sussex to Sir William Cecil; Lodge's Illustrations of British History, i. 458. This letter is dated 22d October 1568, before the accusation had been made and the letters produced, and is to be held as an echo of Queen Mary's instruction to her commissioners. It is an anticipation of the position which Mary's advisers were likely to take; but it anticipates a far bolder position than they did actually take. We shall find that there was a feeble attempt to retaliate on them the accusation. It would have been less feeble had the other prediction been fulfilled which is imputed in the words "she will deny them." They were not denied, if we count this word to mean that they were to be denounced as forgeries.

how exactly his report of Darnley's narrative of the conversation tallies with that attributed to the queen in the casket letters. He had to report a preliminary conversation which he held with her on her way to the sick man's chamber, and this also corresponded with the tenor of the casket letters. Crawford, the writer of this narrative, attended the conference as a witness. The paper was read over; and we are told in the official record, that after he had declared it on his oath to be a true narrative, he explained "that as soon as the Queen of Scots had spoken with the king his master at Glasgow from time to time, he, the said Crawford, was secretly informed by the king of all things which had passed betwixt the said queen and the king, to the intent he should report the same to the Earl of Lennox his master, because the said earl durst not then, for displeasure of the queen, come abroad; and that he did immediately at the same time write the same word by word as near as he possibly could carry the same away; and sure he was that the words now reported in his writing concerning the communication between the Queen of Scots and him upon the way near Glasgow are the very same words, in his conscience, that were spoken; and that others being reported to him by the king are the same in effect and substance as they were delivered by the king to him, though not percase in all parts the very words themselves." [1]

Thus Crawford, with this paper in his hands, stood in the witness-box. He was not subjected to what is usually known as the cross-questioning of a witness, because Queen Mary's commissioners repudiated the posi-

[1] Anderson, iv. 169.

tion of a party pleading a cause. It was open, however, to the English Council to get what light or information they could by questions, and especially to harass him about his document if they doubted its honesty. In estimating the weight which his testimony is likely to have had at the conference, and the weight it ought to have at the present day, it is proper to look at his station and character. As a retainer of Lennox, the king's father, his position was rather political than domestic. He held his own place in the territorial hierarchy of the country as Crawford of Jordanhill, the head of a worshipful house. He was a great military commander, and we shall have to see him performing one of the most brilliant exploits of the day in the capture of Dumbarton Castle.[1]

[1] As some curiosity has been expressed about his statement, I subjoin it in full from the copy in the Record Office :—

"The wordes betwixt the Q. and me, Thomas Crawforde, bye the waye as she came to Glasco to fetch the kinge, when mye L. mye master sent me to shewe her the cause whye he came not to meit her him sellfe.

"First, I made mye L. mye masteris humble commendations unto her matie., with the excuse that he came not to mete her; praing her grace not to thinke it was eather for proudnesse or yet for not knowinge hys duetye towardes her highnesse, but onelye for want of helthe at that present; and also that he woulde not presume to com in her presence untille he knewe farder her minde, because of the sharpe wordes that she had spoken of him to Robert Cunningham, hys servant, in Sterling, wherebye he thought he was in her matie.'s displesoure. Notwithstanding, he hath sent hys servauntis and freindis to waite uppon her matie.

"She aunswered, that there was no receipt aganst feare.

"I aunswered, that mye L. had no feare for anie thinge he knewe in him sellfe, but onelye of the colde and unkinde wordes she had spoken to hys servant.

"She aunswered and said, that he woulde not be afraide in case he were not culpable.

"I aunswered, that I knew so farre of hys lordship that he desired nothinge more than that the secretts of everye creature's harte were written in their face.

After these critical stages, the record of the conference is that of a meeting which the several parties are desirous to wind up as decorously as may be. It is in what is left undone, rather than in what is done, that

"She asked me gif I had anie farder commission. I aunswered no.
"Then she commanded me to holde my peace.

"The wordes that I remember were betwixt the king and the Q. in Glasco, when she tooke him awaie to Edinbrowghe.

"The kinge, for that mye L. his father was then absent and sicke, bye reason whereof he could not speke with him him sellfe, called me unto him, and theise wordes that had then passed betwixt him and the quene he gave me in remembrance to reporte unto the said mye lord hys father.

"After theire metinge and schorte spekinge together, she asked him of hys lettres, wherein he complained of the crueltye of som.

"He aunswered, that he complained not without cause, and, as he beleved, she woulde graunte her sellfe when she was well advised.

"She asked him of hys sicknesse; he aunswered, that she was the cause thereof. And moreover, he saide, 'Ye asked me what I ment bye the crueltye specified in mye lettres; yat procedethe of yow onelye, that wille not accepte mye offres and repentance. I confesse that I have failed in som thingis, and yet greater faultés have bin made to yow sundrye times, which ye have forgiven. I am but yonge, and ye will saye ye have forgivne me diverse tymes. Maye not a man of mye age, for lacke of counselle, of which I am verye destitute, falle twise or thrise, and yet repent, and be chastised bye experience? Gif I have made anye faile that ye but thinke a faile, howe soever it be, I crave your pardone, and proteste that I shall never faile againe. I desire no other thinge but that we maye be together as husband and wife. And if ye will not consent hereto, I desire never to rise forthe of this bed. Therefore, I praye yow, give me an aunswer hereunto. God knoweth howe I am punished for making mye god of yow, and for having no other thought but on yow. And if at anie tyme I offend yow, ye are the cause; for that when anie offendethe me, if for refuge I might open mye minde to yow, I woulde speake to no other; but when anie thinge is spoken to me, and ye and I not beinge as husband and wife ought to be, necessite compellethe me to kepe it in my brest, and bringethe me in suche melancolye as ye see me in.'

"She aunswered, that it semed hym she was sorye for his sicknesse, and she woulde finde remedye therfore so sone as she might.

"She asked him whye he would have passed awaye in the Englishe shippe.

we find the chief significance. The chance of a personal interview was now further off than ever. It was refused while there were evil rumours; and now there was a distinct charge, with evidence to support it, "wherein,"

"He aunswered, that he had spoken with the Englishe man, but not of minde to goe awaie with him; and if he had, it had not bin without cause, consideringe howe he was used. For he had neather to susteine him sellfe nor hys servantes, and neded not make farder rehersalle thereof, seinge she knewe it as well as he.

"Then she asked him of the purpose of Hegate. He aunswered, it was tolde him.

"She required howe and bye whome it was tolde him.

"He aunswered, that the L. of Minto tolde him that a lettre was presented to her in Cragmillar, made bye her owne divise, and subscribed bye certaine others, who desired her to subscrive the same, which she refused to doe; and he said that he woulde never thinke that she, who was hys owne propper fleshe, woulde do him anie hurte; and if anie other woulde do it, theye should bye it dere, unlesse theye tooke him slepinge, albeit he suspected none. So he desired her effectuouslye to beare him companye. For she ever founde som adoe to drawe her sellfe from him to her owne lodginge, and woulde never abyde with him paste two houres at once.

"She was verye pensiffe, whairat he found fault. He said to her that he was advertised she had brought a litter with her.

"She aunswered, that because she understoode he was not hable to ryde on horsebacke, she brought a litter that he might be carried more softlye.

"He aunswered, that it was not mete for a sick man to travelle that coulde not sitt on horsebacke, and speciallye in so colde weather.

"She aunswered, that she would take him to Craigmillar, where she might be with him, and not farre from her sonne.

"He aunswered, that uppon condition he would goe with her, which was that he and she might be togeather at bedde and borde as husband and wife, and that she should leave him no more. And if she would promise him that uppon her worde, he woulde goe with her where she pleased without respect of anye danger, eather of sicknesse wherein he was, or otherwise; but if she would not condescend thereto, he woulde not goe with her in anye wise.

"She aunswered, that her comminge was onelye to that effecte, and if she had not bin minded thereto, she had not com so farre to fetche him; and so she granted hys desire, and promised him that it should be as he had spoken, and thereuppon gave him her hande and faithe of her bodye that she woulde love him and use him as her husbande. Notwithstanding, before they coulde com togeather, he must be purged and

as the English Council say, "they had seen such foul matters as they thought truly in their consciences that her majesty had just cause herein given" to answer as she did. The refusal of a meeting, it has to be

clensed of hys sicknesse, which she trusted would be schortlye, for she minded to give him the bath at Craigmillar.

"Then he said he would doe whatsoever she would have him doe, and would love all that she loved.

"She required of him especiallie whom he loved of the nobilitie, and whom he hated.

"He aunswered, that he hated no man, and loved all alike well.

"She asked him howe he liked the Ladye Reresse, and if he were angrye with her.

"He aunswered, that he had litle minde of suche as she was, and wished of God she might serve her to her honour.

"Then she desired him to kepe to him sellfe the promise betwixt him and her, and to open it to no bodye; for peradventure the lordes woulde not thinke welle of their suddene agrement, considering he and thaye were at som wordes before.

"He aunswered, that he knew no cause whye they shoulde mislike of it, and desired her that she would not move anye of them againste him, even as he woulde stirre none againste her, and that thaye woulde worke both in one minde, otherwise it might turne to greater inconvenience to them bothe.

"She aunswered, that she never sought anye waie bye him, but he was in fault him sellfe.

"He aunswered agane, that hys faultes were published, and that there were that made greater faultes than ever he made that beleved were unknowne, and yet they would speke of greate and small.

"Farder, the kinge asked me at that present time what I thought of his voyage. I aunswered, that I liked it not because she tooke him to Craigmillar. For if she had desired him with her sellfe, or to have had his companye, she would have taken him to hys own house in Edinburgh, where she might more easelye visitt him than to travelle two myles out of the towne to a gentleman's house. Therefore, mye opinion was that she tooke him awaye more like a prisoner than her husbande.

"He aunswered, that he thought litle lesse him sellfe, and feared him sellfe mikle, save the confidence he had in her promise onelye; notwithstandinge, he woulde goe with her, and put him sellfe in her handes, though she shoulde cutte hys throatt, and besought God to be judge unto them bothe."—State Papers—Scotch Correspondence, vol. xiii. No. 14. In an English hand of the time.

Mr Hosack's commentary on this document will be found in his 'Mary Queen of Scots and her Accusers,' 192.

observed, was not absolute, but conditional on Queen Mary offering some satisfactory explanation of the appearances against her. Whether to induce her to be explicit, or to put her own conduct in a fair light, Queen Elizabeth offered her three methods of explanation, as follows :—

"The first is, Whether she will answer by you, her commissioners, or any others authorised by her thereto, before my commissioners, of those things whilk are laid to her charge.

"Secondly, If she will not do that, to answer by her own writing to the same.

"Thirdly, If she thinks not that to be done, let her answer to some noble whom I will send with commission to that effect, who has heard and reasoned the matter with the other party; and if she will not answer by any of these ways foresaid, it will be thought as much as she were culpable in the cause, and in that case I cannot with my honour admit her to my presence."[1] Queen Elizabeth at the same time wrote an ample letter to her captive, enjoining her, as she valued her good name, "not to forbear from answering" the accusations against her.

Her instructions to her commissioners were to refuse to answer, and to withdraw from the conference. Still the poor Bishop of Ross offered a lingering protest against so dangerous a resolution; and again going over the well-trodden ground of the treachery and in-

[1] Goodall, ii. 261. There are two versions of this answer printed beside each other by Goodall. The one is the minute of the English commissioners, supposed to have been revised by Cecil; the other is the note taken by the Bishop of Ross. The latter is the shorter of the two, and it is the one given above, as leaving no doubt regarding the shape in which the three offers were laid before Queen Mary.

gratitude of his mistress's rebels, pleads, "Whilk being well weighed and considered by indifferent ears, they who so oft have been remitted by their sovereign for their heinous crimes shall not be found able to be competent accusers of their said sovereign; and doubts not, when your majesty has well digested and considered the hail matter, your highness will not admit such example prejudicial to all princes; and prays your majesty to remember the example of good emperors, and especially Trajan's, who would never suffer any man to speak evil of princes in his presence howbeit they had been dead, lat be to speak of others that are alive and absent."[1]

Before the conference died out, the Bishop of Ross and his colleagues took a course having at least the aspect of formidable menace. It was to recriminate, and charge Murray and his colleagues with the crime of which they had accused their sovereign. To Queen Mary's commissioners this was no course of their own choosing, and their inability to pursue it only tended to bring on them disaster and ridicule. They departed from the usual etiquette of advocates and representatives by continually avoiding personal responsibility in the matter, explaining with thorough distinctness that they made the charge merely in obedience to the order of her whom they were bound to obey. At a solemn meeting in conference Cecil brought up this new turn of the discussion by explaining how the counter-charge had been "bruited and slandered," and that Murray desired to be confronted with Queen Mary's commissioners, "to know whether they would accuse them or not for the said crime in the queen

[1] Goodall, ii. 267.

their mistress's name, or in their own names." Thus driven to a point, they said "they were expressly commanded by the queen their mistress to accuse the said Earl of Murray and others his adherents to be principal authors, inventors, doers, and some of them proper executors, of the foresaid murder." They were pressed closer than they desired with the question "if they or any of them would accuse the said earl in special, or any of his adherents, or thought them guilty thereof." In answer "they took God to witness" that none of them personally knew anything more of that black business than so far as it had transpired to the rest of the world. They were not prepared "to declare their thought and meaning whether the Earl of Murray and his company were clear or guilty thereof, for they did presently accuse in the queen's majesty their mistress's name." When she so instructed them, then they would enter on particulars.[1] They were somewhat alarmed by an offer on Murray's part to "pass to Bolton to the queen's own presence, to see if she would accuse them, whilk they believed she would not do;" but the offer was not accepted.

The bishop tells the story elsewhere, with some touches of individuality naturally excluded from the formal record: "The Earl of Murray was desirous to know if we would accuse him as participant of the murder. And first he inquired of me if I would accuse him, and take it upon my conscience that he was guilty of the murder; adding thereto, that albeit I would so do, he would not accuse me, nor take it upon his conscience that I was any way guilty or participant thereof. To the which I answered that I praised God, who had preserved me from such ungodly and cruel

[1] Goodall, ii. 308, 309.

acts, and would be sorry to accuse any Scotsman of any such matter, both for honour of the nation and for my own estate and calling, for it was not decent for me to be an accuser. And yet, nevertheless, in respect that he had accused the queen our sovereign, I had just cause to affirm that he was ungrateful unto her for the many benefits which he had received of her liberal goodness to recompense her so unthankfully; and also at her command we had accused him, and had offered to prove the same; and as to mine own knowledge, I was not of that council, and therefore was not certain if he was guilty or not further than by such information as I had received, wherein I would do the part of a faithful minister for defence of the queen my mistress's honour, and satisfying of her command."[1]

Some little personal squabbling attended this episode. Lindsay sent a cartel intimating that in accusing him Herries "lied in his throat." Herries had to answer that he made no accusation; but as the message came in threat and swagger, he must meet it in like form: "That ye were privy to it, Lord Lindsay, I know not; and if ye will say that I have specially spoken of you, ye lied in your throat." He admitted having said "there is, of that company present with the Earl of Murray guilty of that abominable treason in the foreknowledge and consent thereto." One can imagine this turn in the inquiry disturbing in some measure the nerves of Morton and Lethington. Perhaps it was in the chance of what might come of their getting a fright that the idea was adopted, and it is possible that it may have had its influence on the policy of Lethington, who was becoming an avowed queen's man.

Thus the conference lingered towards an ending by

[1] Leslie's Negotiations; Anderson, iii. 34.

mere inanition, with no real business transacted. The prospect so opened seems on the whole to have been satisfactory to Queen Elizabeth's sage counsellors. The championship of the divinity of monarchy must bend to circumstances; and they helped to bend it by showing that in supporting Murray's Government there was the best security against many perils. There is extant a large and very instructive paper by Sadler explaining these perils. These come of the King of Spain, who may be kept off by work in the Netherlands and checks from the Protestant States of Germany, and the King of France, for whom work may turn up and be fostered through the Huguenot party; "and thus may your majesty provide for the two great enemies, to give them enough to do at home, even at their own doors." But suppose these monarchs should be able to retaliate by giving work at home? "And if they may then find a queen in Scotland that pretendeth a little to the crown of England—who seeth not that she will be a ready and apt instrument to serve both theirs and also her own turn, when she may have aid thereunto both by the Pope, the King of Spain, the French king, and also by the favour of your evil subjects here at home, the Papists, which to set up their Popish kingdom would not care to have a murderer and adulteress reign over them—marry, I trust your majesty will so provide that they shall find no such queen in Scotland." He therefore urges that "in this matter of Scotland no time would be omitted. Surely it is most expedient for your majesty to take that way, and to pretermit no occasion nor opportunity to entertain the amity of Scotland; for if the King of Spain or the French king do break with you, if they have any intention

to offend or annoy your majesty, they have no way so fit or so proper for them to do it as by the way of Scotland. Keep them out of Scotland that they set not foot there, and your majesty shall have the less need to care for any offence or annoyance that they can do to your highness elsewhere." But if they are to be kept out of Scotland there must be a decided change in the policy of the Court of England: "Marry, if your majesty shall proceed coldly and indifferently, showing yourself indifferent betwixt both parties as you have done hitherto, whereby the one party may live in hope and the other in fear that you will restore the Queen of Scots—if your majesty shall proceed in that sort, then it must needs be, as hitherto indeed it hath been, a great hindrance to the cause, a great hindrance and prejudice both to your majesty and especially to that party which shall stand for your majesty and the young King of Scots." The advice thus supported is said briefly and clearly: "I must needs say, then, that it is expedient for your majesty to accept and allow of the State as you find it—that is, of the regiment established in the young King of Scots. Of the validity or invalidity of his title your majesty hath not to dispute, in my poor opinion, but to take him for a king as you find him."[1]

Other counsels, though less emphatic and distinct, pointed in the same direction. It was the interest of England to throw over Queen Mary and stand by Murray. The great difficulty in the way of this policy was the obstinacy of Queen Elizabeth on the divine right of sovereigns and the duty of subjects. The one fixed creed from which she had never varied was, that no act of misrule or wickedness on the part of her sister

[1] Sadler's State Papers, ii. 562-69.

queen could justify the conduct of her adversaries. The political conditions—Mary a captive in England, her son nominally king, and Murray the leader of the Protestants virtually supreme—were all in themselves sound had they been brought righteously to pass. If it could all be undone and reconstructed by herself, it would be as legitimate as it was sound. Hence the concluding efforts of Queen Elizabeth and her advisers were in this direction; and nothing was overlooked that could help to bring the whole affair under the judicial revisal of the Queen of England. Even when Queen Mary asked for "doubles," or copies of all the papers produced against her, and an inspection of the originals, the answer was, that these requests would be conceded if Queen Mary would in proper form consent to meet the charges against her, and abide Queen Elizabeth's decision.[1]

In the perplexities of the conference this question is lost, and we have at last an adjustment suggested from Queen Elizabeth's side. It must be given in its own words, for all of these were evidently weighed and adjusted by skilful advisers:—

"That the queen there might be induced by some good persuasions, for avoiding of the great extremities whereunto her cause may bring her, to yield so as it might also appear of her own will, that by way of permission, that her son may continue in the state wherein he is; and the regiment also in the Earl of Murray, as already it is ordered by their Parliament; and herself to continue here in our realm during such time as we shall find convenient; and her son, nevertheless, for his safety, to be brought into this our realm, to be preserved and educated under the

[1] Goodall, ii. 288-310.

custody of persons of the birth of Scotland, for a certain space. And this whole cause of hers, whereof she hath been charged, to be committed to perpetual silence; and the cause of this her yielding and assent to be grounded and notified to proceed of her own goodwill, by reason of her weariness of governance, and of desire to see her son stablished, in such terms, to save her honour, as is at more length contained in the instrument devised for the demission of her crown whilst she was in Lochleven."[1]

It was a favourite practice with Queen Elizabeth, after she had instructed an ambassador or other representative concerning a very complex course of policy to be proposed by him in the quarter to which he was accredited, to conclude the whole with a recommendation that he should propose it as "from himself"—as his own suggestion, stimulated by a desire to avoid unpleasantness on either side. The present instruction was sent to that sorely-perplexed man Vice-Chamberlain Knollys. She tells him, "First, we would have you, whom we have just cause to trust, to attempt her herein; and yet to do the same as of yourself, by way of communication and devising with her of her troubles, and also of her whole cause, and of the likelihood of some end that must needs follow." This was the *first* step. The second was, that as she might consult Lord Scrope, he was to be spoken to "with great secrecy, that he may agree with you in opinion, if cause be given him by her to talk thereof." The next step seems to have been that the Bishop of Ross was to be in some way influenced to give his mistress the same advice as "from himself." And lastly, Queen Mary was to

[1] Goodall, ii. 278, 279.

make the proposal as from herself. It was to come before the world as her spontaneous act. This apparatus of statecraft seems to have been too delicate and complicated for actual working, for there is no account of its reception; and presently a more distinct and emphatic proposal comes from the English Court, as if it had passed at once from subtlety to bluntness. After some preliminaries it came to the point by recommending that Queen Mary, "as being weary of that realm and government thereof, should yield up the crown and government thereof, and demit the same in favour of her son the prince."[1]

This was met by a direct refusal, uttered in that spirit of indignant scorn which the Queen of Scots could command when it became the occasion. She would die first. The last words she would utter should be those of a Queen of Scots.[2] If it be asked why she refused to do on this occasion what she had done on another, many will find a satisfactory answer in her own often-repeated assurance, that when she signed those parchments at Lochleven she was in fear for her life; now her potent jailer would protect her from assassination. But another solution is possible. At that time exposure was only threatened; it had now come. She knew the worst that could be said, and she would stand at bay. As she herself explained, to yield at this juncture would be to confess herself guilty before all the world, and to deprive herself at the same time of the power of defence which her rank and claims endowed her with. So to the last, and for all that had been done, she demeaned herself

[1] Goodall, ii. 300.

[2] "Je suis résolu et déliberé plutost mourir que de [la] fair, et la dernière parole que je feray en ma vie sera d'une Royne d'Escosse."—January 9, 1569; Labanoff, ii. 274.

as Queen of Scotland. It must always be remembered, too, in estimating the treatment she endured, that she had never consented to revoke her claim on the crown of England—a claim which, in the hands of Elizabeth and her advisers, stood in this awkward position, that the more a renunciation was pressed the greater was the importance attributed to the claim.

Why Queen Elizabeth desired a second abdication is obvious. The first was obtained by rebellious subjects, the second would be her own doing. And if it were reasoned that the interference of one sovereign with the rights of another might be a dangerous precedent, the superiority of the crown of England over the crown of Scotland would put the transaction right. A record of the transaction would have been prepared in all feudal form and solemnity, and stowed away beyond the reach of any Scotsman's eyes so long as the kingdoms remained distinct. Had events turned otherwise than they did, it were hard to estimate how dangerous such a record might have been to the independence of Scotland. Whether Queen Mary had this in view or not, her refusal served her country. We have no indication that Murray's party joined in the request that she should repeat her abdication—apparently they were quite content with what they had already obtained.

Elizabeth and her advisers were obliged also to be content. For the sake of form and dignity it was necessary to give judgment; but to the extent of the ludicrous it was a form without substance. Murray and his adherents had come to be arraigned for disloyalty to their sovereign; but "for so much as there has been nothing deduced against them as yet that may impair their honour and allegiance; and on the

other part, there had been nothing produced or shown by them against the queen their sovereign, whereby the Queen of England should conceive or take any evil opinion of the queen her good sister for anything yet seen."[1] This was solemnly made known to Murray on the 10th of January 1569, and so he and all others were now at liberty to return. Murray, in a letter dated on the next day, says to the Laird of Craigmillar, "Yesternight we had the queen's majesty's answer by the Council, allowing our doings, with promise to maintain the king's authority and our regiment."[2]

It has been maintained that this is a false rendering of the judgment as it is here cited; but in reality Murray expressed the conclusion which the English Government had reached, or to which it had been forced, whether it was ever set forth in writing or not. Hitherto in all the English royal documents Mary is ever "our dear sister and cousin," and James "the prince her son." On one or two occasions he is described as the person "called King of Scots." Henceforth the documents conform to the new arrangement.[3] Murray at the same time carried with him

[1] Goodall, ii. 305. [2] Ibid., 306.

[3] The policy which prevailed—the policy of endeavouring to establish the new rule in Scotland as coming from the authority of the Queen of England, or, if that could not be done, of giving it countenance from England—was forecast, if not materially aided, by a remarkable letter from Sussex to Cecil already referred to. He says:—

"And now touching my opinion of the matter (not by way of advice, but as imparting to you what I conceive), I think surely no end can be made good for England except the person of the Scotch queen be detained, by one means or other, in England. Of the two ends before written, I think the first to be best in all respects for the queen's majesty, if Murray will produce such matter as the queen's majesty may, by virtue of her superiority over Scotland, find judicially the Scotch queen guilty of the murder of her husband, and therewith detain her in England at

an emphatic testimony of recognition in a loan of £5000, which he acknowledged to have received from Queen Elizabeth "for the maintenance of peace betwixt the realms of England and Scotland, and to appease and withstand the attempts and enterprises of the common enemies and disturbers of the common quiet of both the said realms."[1]

the charges of Scotland, and allow of the crowning of the young king and regency of Murray. Whereunto if Hamilton will submit himself, it were well done, for avoiding of his dependency upon France, to receive him, with provision for indemnity of his title; and if he will not, then to assist Murray to prosecute him and his adherents by confiscation, &c. If this will not fall out sufficiently (as I doubt it will not) to determine judicially if she deny her letters, then surely I think it best to proceed by composition, without show of any meaning to proceed to trial; and herein as it shall be the surest way for the queen's majesty to procure the Scotch queen to surrender, &c., if that may be brought to pass, so, if she will by no means be induced to surrender, and will not end except she may be in some degree restored, then I think it fit to consider therein these matters following:—

"First, To provide for her and her son to remain in England at the charges of Scotland.

"Secondly, To maintain in strength and authority Murray's faction as much as may be, so as they oppress not unjustly Hamilton.

"Thirdly, To compound the causes between Murray and Hamilton, and their adherents; and to provide for Hamilton's indemnity in the matter of the title, to avoid his dependency of France.

"Fourthly, That the queen's majesty order all differences that shall arise in Scotland, and to that end have security of both sides.

"Fifthly, If Hamilton will wilfully dissent from order, it is better to assist Murray in the prosecuting of Hamilton by confiscation, although he fly therefor to France, than to put Murray anyways in peril of weakening.

"And lastly, To foresee that these Scots on both sides pack not together, so as to unwrap (under colour of this composition) their mistress out of all present slanders, purge her openly, show themselves satisfied with her abode here, and within short time after, either by reconcilement or the death of the child, join together to demand of the queen the delivery home of their queen to govern her own realm, she also making the like request; and then the queen, having no just cause to detain her, be bound in honour to return her into her realm, and, for matters that in this time shall pass, have her a mortal enemy for ever after."—Lodge's Illustrations, i. 462.

[1] Fœdera, xv. 677.

CHAPTER LIII.

The Regency.

MURRAY'S POSITION—HIS RETURN TO SCOTLAND—CONSOLIDATION OF HIS POWER—DEALING WITH THE HAMILTONS—LETHINGTON'S SEIZURE, AND GRANGE'S DEALING WITH HIM—NATIONAL CALAMITIES—PLAGUE AND FAMINE—EXECUTION OF NICHOLAS HUBERT—DETERMINATION OF THE HAMILTONS TO SLAY MURRAY—HOW IT WAS EFFECTED—HAMILTON OF BOTHWELLHAUGH—THE POPULAR STORY OF PRIVATE VENGEANCE DISPOSED OF—QUEEN MARY'S FEELING ON THE OCCASION—ENGLISH INVASION—THE DUBIOUS POLICY ANIMATING IT—REGENCY OF LENNOX—EXASPERATION OF SCOTLAND—EFFECT IN STRENGTHENING QUEEN MARY'S INTEREST—TWO PARTIES—OPENING OF THE FIRST THOROUGHLY CIVIL WAR IN SCOTLAND—THE TAKING OF DUMBARTON CASTLE—DEATH OF ARCHBISHOP HAMILTON—THE ATTACK ON STIRLING—THE DEATH OF LENNOX.

As men's thoughts at that time centred on the momentous conference in England, little note seems to have been taken of the transactions in Scotland from the flight of the queen till the return of the regent. Murray kept his force together, and it seems to have been sufficient to put down any actual resistance. He concentrated it round Edinburgh, that a meeting of the Estates might be held in the usual constitutional manner to deal with the emergency. In the middle of June he would receive Queen Elizabeth's letter of admonition already referred to, in which, considering

the government of the realm as in his power, she charged him "utterly to forbear from all manner of hostility and persecution against all such as have lately taken part with the said queen, and to suspend all manner of actions and proceedings against them both by law and arms, as the like is meant by us to be observed on the queen's part."[1] Queen Elizabeth had taken on herself to settle the great question, and therefore enjoined both parties to suspend action until she had given judgment. Queen Mary assented to this arrangement. There was much counter-recrimination by each party against the other as false to the terms of this truce. But it was one that could not have been kept. As an absolute injunction it existed only in the command of the Queen of England, a thing utterly worthless in Scotland. Even if Queen Mary's directions to her adherents were honest, they would be guided by events and opportunities. As to Murray, he was in the hands of the victorious party. The measure that of all others was the most formidable to their enemy—their meeting as the Estates of the realm in Parliament—was announced, and could not be forborne. Huntly gathered his followers of the north, Argyle brought the west, and the Hamiltons joined. They gathered a considerable force, and afterwards remonstrated to Queen Elizabeth that they had obeyed the order of their mistress "to stay all hostility and invasion on the Earl of Murray and his accomplices," but that, nevertheless, the Parliament had been held, and had dealt with them as enemies.[2]

The Estates met on the 12th of July, and adjourned to the 16th of August in order that the weighty busi-

[1] Anderson, iv. 69.

[2] Ibid., 125, 126.

ness to be transacted by them might be put into shape. Thirty persons were arraigned for trial, seventeen of them bearing the name of Hamilton. Chatelherault was in France, and could not be implicated in the sudden rising; but his sons, Arran and Lord Claud, were among the accused, along with the real head of the house, John, the archbishop. The list of Hamiltons ends with "David Hamilton, son to the gudeman of Bothwellhaugh."[1] A supplementary accusation brought in Herries and his son, and their special supporters. Each indictment was in Latin, after the solemn form of the High Court of Parliament. Had the queen's party been victorious at Langside, there would have been the usual formalities for the attainder and punishment of rebels. This would have been in natural sequence, and neither history nor the statute-book would have carried the burden of an anomaly strange and unnatural in the eyes of many good people. The proceedings did not suffer in their external formalities, indeed these seemed to be accumulated with anxious pains to cover all defects of title. The accused were charged with rebellion against King James; and that they were seduced to this course by his majesty's mother, who attempted to usurp his crown, is set forth as if it were in some measure an aggravation of their guilt. The overt act of treason was an attack on his majesty's forces under the command of his majesty's *consanguineus*, the lawfully-appointed regent of his kingdom. The regal tone was of course necessary; but to a

[1] The term "goodman" is not a testimony to his virtues, but indicates that he held his estate not in freehold from the Crown, but as the vassal of a subject-superior.

modern eye its efficiency seems hardly to be supported by something like a pleading for its assumption: it tells that nothing could be a more complete divestiture than the ex-queen made of her crown, nothing more complete than the investiture of his present majesty. He was as fully King of Scots now as she was Queen of Scots before her abdication, and in the whole illustrious roll of Scottish monarchs there was not one whose title was more spotless than the king who now ruled over Scotland.[1]

The real terrors of the process lay behind all these pompous formalities. The accused persons would not, of course, attend the meeting of Estates, and place themselves in the hands of their enemies. Not appearing, they were formally "forefaulted" or outlawed. This means that they and their possessions were at the mercy of the ruling party. No further process was necessary for conferring the power to put them to death or seize their estates. Whatever befell them, no one could point to a flaw or irregularity in the procedure by which they had been ruined. It remained for events to determine what use the victorious party would make of their formidable powers.

In January 1569 Murray returned from the conferences. On the face of the recorded transactions their conclusion was a blank; and Murray had gained nothing for all his outlay of patience, sagacity, personal risk, and even humiliation. But in reality he had gained everything. There was to be a little more blustering by Queen Elizabeth about the sacredness of the sovereign and the duty of the subject; but the power of the Protestant Government of England was

[1] See the proceedings, Act. Parl., iii. 45 *et seq.*

thrown into Murray's cause, and the new settlement of the throne was as firm as any political condition could be in those days of confusion. This was a final blow to the Hamiltons, and they were driven to desperate resolutions. Not only was the man who held in his hand the confiscation of their estates elevated to a firm supremacy, but the revolution affected their interest through a peculiar genealogical condition, which must have been in their view from the beginning, but was now becoming matter of practical discussion. We have seen how distant was that connection with the house of Stewart which sufficed to make them the nearest family to the throne: it came of their ancestress, a daughter of James II.[1] If the child who stood between them "and home" were to die, as they might well anticipate, then they would be his mother's heirs; and if she died without issue in possession of a throne, they would be her heirs in it. But the Duke of Chatelherault was not the nearest heir of King James. That right would fall to his father's brother Charles, afterwards Earl of Lennox, the father of one chiefly known by the misfortunes which followed her illustrious birth—Arabella Stewart.[2]

The head of the house was still absent in France.

[1] See above, iii. 168.

[2] Sussex, in a letter already cited (p. 221), says: "The Hamiltons affirm the Duke of Chatelherault to be the next heir by the laws. The other faction say that the young king by his coronation and mother's surrender is rightfully invested of the crown of Scotland, whereby his next heir in blood is by the laws next heir also to the crown, and thereby the duke avoided. The fear of this device makes Hamilton to withstand the king's title for the surety of his own, and the regency of Murray, in respect of his claim to be governor, or next heir to the crown; for which causes it is likely Hamilton will hardly yield to the one or the other; and yet James Macgill, an assured man to Morton, talks with me secretly of this matter, and (defending the right of the Earl

We have met him before, when his placid temper and luxurious indolence provoked the more stirring spirits who desired to play a game with his birthright, and the lapse of a quarter of a century had not quickened his blood.

At this crisis he was dragged back by his supporters. He received from Queen Mary a commission as lieutenant-general of the kingdom, with Argyle and Huntly as lieutenants — the one for the south, the other for the north. When they attempted to gather the scattered followers of their parties, it was found that Murray's concentrated and well-ordered force was too strong for them, and it was necessary to submit. The regent was passing through Glasgow early in March, to attack the Hamiltons at home, when they proposed terms of compromise, to be the base of a specific contract. They were, on the one part, to acknowledge the new order, give their allegiance to King James, and obey his regent. In return they were to have an amnesty for past offences, including, of course, a revocation of the forfeitures. Some points were left vague,— as the adoption of such conditions as might "redound to our sovereign lord's mother's honour, advancement, and commodity." On this and the general completion of the agreement a committee of the chief men concerned should assemble on the 10th of April in Edinburgh "in quiet and peaceable manner." They were to be Chatelherault himself, Huntly, Argyle, Athole, Morton, Mar, Glencairn, and Herries.[1]

of Lennox's son as next heir in blood to the young king) confessed to me that he thought because it came by the mother it must return by the law to the mother's side, which was Hamilton, but it would put many men on horseback before it were performed."—Lodge's Illustrations of British History, i. 462.

[1] Diurnal of Occurrents, 140, 141.

Although this transaction had the outward aspect of a bargain between two high contracting parties, it was in reality the policy adopted by a government in a position to dictate, and it was a policy that might be changed, if necessary, until there was a distinct public guarantee given to the weaker party. It is well to keep this in view, as some of the subsequent acts of the regency have been spoken of as a gross breach of faith. No reliance was placed on the faith of the Hamiltons and the queen's party. Hostages were demanded from them — the Earl of Cassilis or his brother, Herries's heir the Master of Maxwell, and one of the duke's sons. We are told that the duke could not prevail on either of his sons to run the risk of being put in pledge for the conduct of the party. His zealous brother, the Archbishop of St Andrews, accepted the responsibility, entering himself as a prisoner in Stirling Castle.[1] Yet the regent was not satisfied with this suretiship, and when the duke and Herries came to Edinburgh to adjust the final terms he placed them both in restraint.[2] That he might have strong reason for this we may easily infer by finding that Huntly's Highlanders were let loose on the king's party in the north, and were busily harrying their territories. Murray marched northwards with a force so strong that he did not require to fight. He held his court at Aberdeen, and summoned the chief offenders to attend him there and make their submission. The occasion was made notable by the severe application of a peculiar form of coercion which we shall find of frequent use in Scotland—a form essentially the creature of wealth and a certain progress in

[1] Diurnal of Occurrents, 142. [2] Ibid., 144.

civilisation. It substituted for the sword and the cord the pressure of the civil law, by sparing recusants on their undertaking pecuniary obligations. Murray laid his fines so heavily on the northern chiefs and lairds that, as a contemporary chronicler says, "they componed for sic suims of money as they were not able to pay; for there was never seen or heard in this realm in times bygone that sic mean gentlemen as these are that paid sic great sums of money as they did. In the mean time there was nane within the bounds of the north but they were subdued to the king's authority, and were compelled to acknowledge the same."[1]

England was now shaken by the great northern rebellion. The events of it belong to the history of England, and have only to be treated here as they concern the complicated intrigues of Queen Mary and her friends. It had meanwhile the effect of rendering Queen Elizabeth's Government and the regent's more completely one cause. This, like most political forces, had its reactionary balance. There were already two strong parties against the regent—the queen's party, almost identical with the party of the old Church, and the Hamiltons. Those who themselves believed, or could make others believe, that the regent was subservient to England, could easily make a third, which might become more powerful than either, for the fires of the old national jealousy still smouldered in the hearts of the people. Besides the Parliamentary forfeitures, the regent had another very powerful hold over a select few who might prove dangerous — he could bring home to them a complicity in the murder of Darnley sufficient to drag them to the scaffold. Lethington

[1] Diurnal of Occurrents, 145.

and Balfour were both in this position, and both were becoming more and more suspected. Balfour was apprehended. There was a suspicious gathering at Dunkeld, at which were present the Earl of Athole, the queen's steady friend Lord Seton, and Lethington. In the words of a contemporary chronicler, "It is said that they were at the hunting there; but the same was heavily murmured that they were devising some things touching the queen's coming home, and the wrecking of James Earl of Murray and his affairs."[1]

There was to be a general convention at Stirling, the origin of which is not sufficiently accounted for by the current understanding that it was for the purpose of receiving a message from Queen Elizabeth about Queen Mary. Lethington was there with the others, when Thomas Crawford—the same who bore testimony to the meeting of Mary and her husband at Glasgow—appeared, and demanded audience on a weighty matter. He represented the old Earl of Lennox, and in his name denounced Lethington as one of the murderers of the late king. Of course there were those present to whom this apparition was no surprise. Lethington was seized and conveyed to Edinburgh as a criminal. But here the regent encountered a very curious dilemma. The castle was the place in which such a captive should be detained—the only place, indeed, sufficiently retentive to afford any chance of his safe custody. The chivalrous Grange was the governor of the castle. He was placed there by the regent; but doubts were arising whether he

[1] Diurnal of Occurrents, 147. The name in the original is Morton, not Murray, evidently from a slip, which seems to show that Morton must have become regent before the passage was written.

was to hold it for the regent's Government, and the justice of these doubts was soon to be confirmed. Murray tried to secure his prisoner, but Grange settled the question by sending a party in the night, who seized him and conveyed him within the castle. Murray was fain to let the matter pass. The man was in his right place, the whole transaction had in its externals the aspect of a due administration of the law, and it was not the time for putting Grange's loyalty to the issue.[1]

With all this, the regent's hands were full of business elsewhere. The confusions in the north of England had given brilliant opportunities to the Border reivers to resume their old work. Murray paid them more than one visit, and chastised them so that, as the contemporary chronicler already often cited tells us, "it is said there was such obedience made by the said thieves to the said regent as the like was 'never done to na king in na man's days of before.'"[2] There was still another element in this sea of troubles. A grievous famine visited the land. The famine was either accompanied or followed by "the peste." This visitation was accompanied by all those utterances of cruelty and selfishness which it takes a high cast of civilisation to drive from the companionship of such a curse.[3]

[1] Diurnal of Occurrents, 148. [2] Ibid., 151.

[3] "According to custom in Edinburgh, when this dire visitor made his appearance, the families which proved to be infected were compelled to remove, with all their goods and furniture, out to the Burgh-moor, where they lodged in wretched huts hastily erected for their accommodation. They were allowed to be visited by their friends, in company with an officer, after eleven in the forenoon; any one going earlier was liable to be punished with death, as were those who concealed the pest in their houses. Their clothes were meanwhile purified by boiling in a large caldron erected in the open air, and their houses were 'clengit' by

One of the evil features by which men show how much of their reason is taken away from them by such a visitant is, that they are apt to denounce their rulers as the cause of all.

In this year of 1569 there remains to be dealt with a small item of the latest great State tragedy ere the stage is cleared for another. The hapless French page, Nicholas Hubert, commonly known as French Paris, whose revelations have been amply cited, was executed on the 16th of August as an accessory in the crime of the Kirk-of-Field. Both what we know and what we do not know of the conditions surrounding his death have been made of moment through the importance imputed to them by the vindicators of Queen Mary, and therefore it is necessary to note them. The execution was not in Edinburgh but in St Andrews, and no record of the trial or judgment has been preserved.

the proper officers. All these regulations were under the care of two citizens selected for the purpose, and called *Bailies of the Muir;* for each of whom, as for the cleansers and bearers of the dead, a gown of grey was made, with a white St Andrew's cross before and behind, to distinguish them from other people. Another arrangement of the day was, 'that there be made twa close biers, with four feet, coloured over with black; and (ane) white cross, with ane bell to be hung upon the side of the said bier, whilk sall mak warning to the people.'

"The public policy was directed rather to the preservation of the untainted than to the recovery of the sick. In other words, selfishness ruled the day. The inhumanity towards the humbler classes was dreadful. Well might *Maister Gilbert Skeyne, Doctor in Medicine,* remark in his little tract on the pest, now printed in Edinburgh, 'Every ane is become sae detestable to other (whilk is to be lamentit), and specially the puir in the sight of the rich, as gif they were not equal with them touching their creation, but rather without saul or spirit, as beests degenerate fra mankind.' This worthy mediciner tells us, indeed, that he was partly moved to publish his book by 'seeand the puir in Christ inlaik (perish) without assistance of support in body, all men detestand aspection, speech, or communication with them.'"—Chambers's Domestic Annals of Scotland, i. 52, 53.

To these facts, deemed suspicious, it has been recently added, that when Queen Elizabeth suggested to Murray that the execution might be deferred, he answered that it was already over; and in his letter to her he stated that Hubert had arrived from Denmark at Leith in the middle of the preceding month of June, whereas he had sailed from Denmark on the 15th of October 1568. The inference from this discrepancy is, that Murray had him in hand during the progress of the York and London conference, and could have produced him as a witness, and that to conceal this suppression of evidence he had told a falsehood about the time of Hubert's arrival in Scotland.[1]

To avoid the imputation of carelessness, it is neces-

[1] See the case stated with all due power in Hosack, 244. Were it worth entering on the matter, it might be pleaded that the charge of falsehood is made against Murray on very fragile evidence—merely from "Anderson's notes of letters in the Paper Office." As printed by Malcolm Laing (ii. 269) there is this passage: "True it is that the said Paris arrived at Leith about the midst of June last, I at that time being in the north parts of this realm far distant; whereupon it followed that at my returning, after diligent and circumspect examination of him, and lang time spent in that behalf, upon the xvi day of August bypast he suffered death by order of law, so that before the receipt of your highness's letter by the space of seven or eight days he was execute."

The absence of all record of the trial is a feature only too common, as many of the criminal records of the sixteenth century have been lost. There is nothing exceptional in St Andrews being the place of trial and execution. We shall find that a renowned State trial of a few years later—that of Lord Balmerinoch—was held there. Hubert had a companion sufferer on a charge having no connection with his own. A contemporary note-maker says: "William Stewart, sometime Lyon King of Arms, being suspected for art and part of the conspiring of my lord regent's slaughter, and brought to the Castle of Edinburgh out of Dumbarton, and also Paris—Frenchman—being brought out of Denmark, and one of the slayers of our sovereign lord's father, to the said Castle of Edinburgh, were both tane out of the said castle to St Andrews, there to be punished according to their demerits."—Diurnal of Occurrents, 146; see also the Historie of King James the Sext, 41. The method of Stewart's

sary to mention casually, before entering on matter of more vivid interest, that a convention of the Estates of the realm was held at Perth in July 1569. The meeting did not resolve itself into a formal Parliament, and no record of its proceedings has been preserved. Nominally the business submitted to the assembly was very important—to consider a message from Queen Elizabeth on the question of Queen Mary's restoration. But that was a question dismissed from all practical consideration. It held a place in the negotiations between the English Government and the regency merely as a matter of etiquette, because Queen Elizabeth had sanctioned no formal acknowledgment of a government created by subjects in defiance of sovereigns. Perhaps the most important result of the meeting was, that the question of the Norfolk marriage came before it; and a discussion of this affair, in itself desultory and purposeless, revealed some

machinations against the regent's life was by "sorcery and necromancy" (Balfour's Annals, i. 343).

The time of the page's removal from Denmark is certified by Professor Schiern of Copenhagen (Hosack, 245). See for fuller details the professor's own account in 'James Hepburn, Jarl af Bothwell, hans Anholdesle i Nerge og Fængselsliv i Denmark. En historisk Untersogelse af Frederik Schiern. Kjobenhaven, 1863.' This little book seems to deserve translation, since few among us in this country have more access to Danish reading than a smattering of the language helped out by German, and to a native of the north-east of Scotland by his own vernacular. It seems to contain many curious facts both about Bothwell's detention in Scandinavia and the singular feats afterwards performed by King James on the same stage, along with some light on the joint-resolution of the witches of Denmark and those of Scotland to make him uncomfortable. Professor Schiern notes—what has escaped our historians generally—that the story of Bothwell being claimed by a Scandinavian wife is as old as the time of De Thou: "Bothwell eftr sin Flugt var bleven 'accusatus ab amicis cujusdam nobilis virginis Norvegicæ, quam ante plures annos pacto matrimonio violatam, alia superinducta, deseruerat.' Endog Mignet, Labanoff og Teulet have overseet dette sted hos De Thou."—P. 277.

unpleasant facts to the Queen of England's advisers. The rebellion which followed scarcely touched Scotland; but Murray, apprehensive of co-operation between the English and the Scottish supporters of the old religion, summoned the feudal power of the country to meet him on the Border. He met no enemy, and he was so successful as to catch the Earl of Northumberland, who on the breaking up of the rebel force sought safety on the north side of the Border. This was a valuable prize, as it gave the ruler of Scotland a stake which he might play against the English Government. The acquisition seemed opportune, for Murray was at that time negotiating for the transference of his sister to Scotland. With what view he sought an acquisition likely to be so troublesome it is hard to find. Later acts might have revealed his policy, but it was in the decrees of fate that time should be denied for the development of this as well as of the many other schemes then occupying his busy brain.

The Hamilton party had determined to put him to death, and the affair was undertaken by one of themselves, James Hamilton, commonly called "Bothwellhaugh." A story converting this well-planned murder into a frantic act of retribution for certain deeds of fiendish cruelty has found its way into ordinary history, though it bears on its face the palpable characteristics of romance.

As the story goes, Hamilton had made a sacrifice of his paternal estate of Bothwellhaugh in his loyalty to his queen, by fighting for her at Langside, and so falling to be dealt with by that law of treason which the victor ever has at his command. His wife was

heiress of the pleasant domain of Woodhouselee, and this he believed to be safe from the perils following his imprudent loyalty. He was mistaken. Woodhouselee was seized to enrich a greedy favourite of the regent; and the new-comer seized on his spoil with such heartless rapacity, that although the wife of Bothwellhaugh was enduring that ordeal which gives woman the strongest claim on the sympathy of man, he drove her forth on a winter night with her infant, to wander along the bleak hillside until death came to her relief. Some transactions there were about lands which Bothwellhaugh enjoyed in right of his wife; but the nature of these transactions gives them the aspect of a family arrangement to preserve them from forfeiture for treason committed by Bothwellhaugh. But if this be not absolutely proved, another fact is sufficient for the extinction of the fable—that the lady was afterwards living at Bothwellhaugh while her husband was a fugitive for the murder of the regent.[1]

[1] On the point whether Hamilton forfeited, in the first place, his own estate of Bothwellhaugh for his loyalty to his queen, the available documents leave it doubtful whether he ever possessed such an estate. It belonged to his father, but it appears to have continued in the family after James Hamilton would certainly have lost it by forfeiture had it been his. It may be conjectured that an elder brother succeeded to the family estate, and that James only got the patronymic of Bothwellhaugh, according to the Scots practice, which often distributed the name of the estate over the family generally as a title of courtesy. The point is scarcely of sufficient importance in history to court a close investigation. On the second question, the fate of his wife's estate of Woodhouselee, we have more light. It was not forfeited, but was voluntarily conveyed away. The person to whom it was conveyed, Bellenden the justice-clerk, might be termed a rapacious favourite; but he was at the same time the uncle of the heiress, and it is pretty clear that the object of the conveyance was to place the estate for a time in his strong hands, in order that it might be safe from any possible risk of forfeiture for the acts of the lady's husband. Thus if the regent or his Government committed any irregularity, it was in conniving at a project for defeating a harsh law. But a curious

On the 23d of February 1570 his opportunity came. The regent, on his way from Stirling to Edinburgh, was then to ride in state through Linlithgow. The Hamiltons had a strong feudal influence in the surrounding district, and could thus make their preparations among themselves. The structure of the old Scots towns favoured such a deed. They were generally laid

little incident preserved by the pedantries of a legal formality is more effective for the destruction of the romance. When Hamilton was afterwards forfeited by Act of Parliament, a writ had to be personally served on him or left at his dwelling-place. The officer intrusted with this duty left on record that he went to the house of Bothwellhaugh, where James Hamilton usually resided. He was naturally not at home; but the officer found his wife, and put the writ in her hands. She, however, like a cautious woman, refused to receive or acknowledge the writ (Act. Parl., iii. 133).

It would appear that the custody in which the estate was placed was only too safe and fast, since it was only after long suit that the lady regained her own. It may be noted that there were two sisters co-heiresses of Woodhouselee, and that they married two brothers, James and David Hamilton. In January 1592, when the Hamiltons were powerful, there is an Act of Council to the effect that "Isobel Sinclair and Alison Sinclair, heretrices-portioners of the lands of Woodhouselee, ought and should be repossessed to the lands, houses, tacks, steadings, and possessions whereof they were dispossessed through occasion of the late troubles" (Pitcairn's Criminal Trials, i. 266). Ere this time Bellenden was dead, as well as his son and successor. Whoever held Woodhouselee, however, a higher force was necessary to open his grasp. In 1609 an Act of the Estates was passed to give effect to the order of Council seventeen years earlier, and to restore to Isobel and Alison Sinclair their estate of Woodhouselee (Act. Parl., iv. 450). If there be any doubt about the object of the alienation of the property, there can be none that the victim of the Pentland Hills sometime just before the year 1570 was alive thirty-nine years later.

The cradle of the popular story will be found in the 'History and Life of King James the Sext,' a book in which the narrative of a probably fair contemporary is mixed up with other matter not to be relied on. It thence passed into the 'Memoirs of the Affairs of Scotland,' by David Crawfurd of Drumsay, Historiographer-Royal to Queen Anne. It had fit companionship with the crowd of falsehoods which provoked Malcolm Laing to call the book "the earliest, if not the most impudent, literary forgery ever practised in Scotland" (Hist. James VI., preface, p. vi). By Crawfurd the story was put thus: Bothwellhaugh being one of "the bold

out in one narrow street, with gardens radiating outwards on either side. These the enemy might destroy; but the backs of the houses formed a sort of wall, and protected the actual town from invasion. The arrangement was conducive to health as well as protection; but it afforded opportunities for mischief, and frequently those concerned in street-brawls could escape through their own houses into the open country.

and loyal men" of the Hamilton clan, "his wife, who was heiress of Woodhouselee, not thinking her husband's crimes would affect her estate, willingly abandoned that of Bothwellhaugh, which was his ancient patrimony, and possessed herself of her own. But Murray, being informed of the matter by Sir James Ballantyne (a mighty favourite of his, to whom he had gifted Woodhouselee), sent some officers to take possession of the house, who not only turned the gentlewoman out of doors, but stripped her naked, and left her in that condition in the open field in a cold dark night, where before day she became furiously mad, and insensible of the injury they had done her. From this moment it was that Hamilton resolved upon Murray's death," &c.—Memoirs, 124. Being accepted by Principal Robertson, this story took its place in legitimate history, and it was naturally completed by the additional decorations of the new-born babe and the mother's death. This strangely-fabricated story has the one merit that it inspired one of the noblest of modern ballads—Scott's "Cadyow Castle." Some curious information on the matters here referred to, and others connected with them, will be found in a quarter where it might not be sought for—the notes by Mr Maidment to the 'Scottish Ballads and Songs, Historical and Traditionary,' ii. 39, 331.

Mr Maidment thinks he can identify another unfortunate lady to answer the question—

> "What sheeted phantom wanders wild
> Where mountain Esk through woodland flows?"

His substitute is the heroine of that sad sweet ballad "The Lady Anne Bothwell's Lament." He traces "the Lady Anne" to Anne, daughter of Bothwell, that Bishop of Orkney who married the queen to her Bothwell. Mr Maidment supposes that she lived at Glencorse, near Woodhouselee, and that in her miseries she became insane and died the mother of an illegitimate child: "The vicinity of Woodhouselee to Glencorse, the similarity of Bothwell to Bothwellhaugh, the belief in the pretended miserable death of the heiress of the former estate, and the real death of the living lady's cousin in the same locality, got in process of time to be all so much mixed up together that the popular error is not at all surprising."—Ibid., 332,

A house, belonging, according to the concurring testimony of contemporaries, to Archbishop Hamilton, was found to suit the purpose, as facing the principal street. Horses and all other means were ready for escape westward into the chief territory of the Hamiltons, where they were absolute. There was a balcony in front with hangings on it. Perhaps the citizens did honour to the occasion by displaying their finery, and this house appeared to be decorated like the others.[1] We hear of warnings of his danger having reached the ear of the regent; but he was not a man easily flustered or alarmed, and took no further heed to what was said save that he thought it prudent to pass rapidly forward. In this, however, he was impeded by the crowd. The murderer had to deal with the delays and difficulties of the clumsy hackbut of the day; but he did his work to perfection. The bullet passed through the body between the waist and the thigh, and retained impetus enough to kill a horse near the regent's side. He remained some hours alive; but he knew his fate, and met it with the calm bravery of his nature.

His character must be considered as told in his actions. These have almost been buried under much unseemly controversy about his motives and secret intentions. Where real events are so numerous and significant, they surely afford sufficient ground for criticism without passing into the region of the imagined and the suspected. His position might have

[1] In an old narrative—not, however, as we have seen, worthy of much reliance—it is said that "upon the pavement of the said gallery he laid a feather-bed, and upon the window thereof he affixed black cloths, that his shadow might not be seen nor his feet heard when he went to or fro."—Historie of King James the Sext, 46.

given him opportunities for acts more unscrupulous than any committed by him. We have seen that his share in the rewards of the period was originally an office nominally ecclesiastical — that of Prior of St Andrews. The reason given for this choice was, that it would be unsafe to advance to an office of civil or military power one who was so near the throne. It was destined that he should concentrate in his hands all the powers, civil and military, of the State; yet he gave no one a right to hold that he intended to apply these powers to any evil purpose. His policy was as thoroughly constitutional as that of the English statesmen who promoted the revolution of 1688 and the Hanover succession. The difficulties in the way of a firm order of government, and the temptations to turn to selfish ends these difficulties, were both great —but he bid fair to conquer the one, and he left no sign that he would yield to the other. So natural a thing was his grasping at the sceptre considered, that a bold attempt was made to convince the people of its reality. After his death the country was excited by an account of a secret conference in which Knox, Lord Lindsay, and some others had offered their services to make him king, and he had accepted the offer. It professed to be the notes taken of the conference by one hidden in the room where it was held. It was found in the end to be a fabrication; but it was a clever one, likely to be received as a genuine history. All the characters were well sustained; and perhaps that of Knox, the most difficult of all, was the happiest. It was thoroughly in tone; but instead of imitating the great ecclesiastical wrestler in the whirlwind of his passion, according

to the usual practice of the mimic, who finds the exaggerated features to be easiest of imitation, this artist presented Knox in his grave and moderate tone, as of one feeling the weight of a heavy responsibility. In allusion to Lethington he could not away with the "jolly wits and politic brains" of Macchiavelli's disciples. What did they all see? The Gospel triumphant and Antichrist overthrown. Were they to risk all by losing him who had done this good work? Let the Good Regent reign as long as he lives; "for when this bairn whom we call now king shall come to age, does any man think that he will leave all royal insolence and suffer himself to be ruled according to the simplicity of the evangel? What good hope can we have of the child born of such parents? I will not speak of this suspicion may be concerning the man that was killed; but though he be his whose he is called, what can we look for but, as it were, the heritage of the slain's lightness and the mother's iniquity? If John Knox's counsel be followed, the estate of the evangel and professors thereof shall never be given over to such by hazard. Better it is to be content with ourselves, with him in whose majesty we have good experience both in wealth and trouble, than to change frae the gravity of ane aged ruler to the intemperancy of ane unbridled child." He alluded with exultation to the verification of the predictions in his 'Blast against the Regiment of Women,' and announced that he had ready for the press "a book wherein I prove by sufficient reasons that all kings, princes, and rulers goes not by succession, and that birth has no power to promote nor bastardy to seclude men from government." He ended by expressing a belief that if his

grace were advanced to the throne "by God," he would punish without pity "all that displease the Church," and would "provide that the servants of God be honourably entreated with ane proportion of this common wealth according to their calling." Murray's remarks were equally happy: "Ye knaw, I was never ambitious; but I will not oppose myself to the will of God revealed by you which are His true minister." And at the conclusion, "It was ane heavy burden that lay upon him, and that he would underlie the same as well as he might, and depend on their counsel allenarlie."[1]

This document was shown to Knox by the "good and virtuous" Lady Ormiston. How his wrath gathered as he read in what fashion his name had so been taken in vain any one can easily imagine; but he restrained himself that he might give it suitable vent; and to the lady's anxious inquiry about the truth of the story, he said, "Ye shall knaw my answer afterwards." "And so the next day," says his secretary, "when he preached, he shew the effect thereof in the pulpit, and declared that the devil, the father of lies, was the chief inventer of that letter, whaever was the penner thereof;" and "the things by them affirmed, and by others believed, are as false as God is true."[2] Another annalist adds that he prophesied from the pulpit "that the contriver should die in a strange land, where he should not have a friend near him to hold up his head," a prophecy fulfilled on Thomas Maitland, Lethington's brother, who was present, confessed him-

[1] From the document as printed in Miscellany, Bannatyne Club, i. 30 *et seq.*; Bannatyne's Memorials, 12; Calderwood, ii. 515.

[2] Bannatyne's Memorials, 14.

self the forger, and "departed out of this life in Italy, when he was going to Rome."[1]

When we find Knox speaking for himself, he sees but one blot in the regent's character—his lenity to his sister. He notes this when addressing the Deity in prayer, lamenting "that foolish pity did so far prevail in him concerning execution and punishment, which Thou commanded to have been executed upon her and upon her accomplices, the murtherers of her husband."[2]

If those who planned the murder of the regent expected from it a great disorganisation, giving opportunities to desperate men, they were quite correct; and their act was a judicious one according to their political code. Except that of the royal infant, there was no other life in Scotland so well worth taking. The news flew over Europe. To the English Government the event was a heavy blow. In Spain it was received with decorous satisfaction, as one of the steps by which the inscrutable decrees of Providence were to restore the Church. In France it excited wild delight in the party of the Guises. They had a representative nearer home by whom their exultation was shared. It broke in on the monotony of Queen Mary's prison-life with a welcome and joyous excitement, proving, indeed, one of those occasions on which passion overcame her fine sense of decorum and good feeling. In a long letter to Beaton, the Archbishop of Glasgow, whom she counted her ambassador in France, she states that Bothwellhaugh did not do the deed by her order. Here she might well have stopped, but with a kind of ferocious candour she

[1] Calderwood, ii. 525; Bannatyne Miscellany, i. 36.

[2] Works, vi. 569.

goes on to say that for that reason she is the more indebted to him for doing it. She expects an intimation that her jointure as Queen-Dowager of France is available; and in the scheme of distribution she will not forget Bothwellhaugh's pension, which she speaks of as the fulfilment of a promise.[1] It was naturally believed at the time that she knew and authorised the deed, and it was asserted by Randolph that a similar fate would befall the Queen of England if those about her failed in due vigilance.[2]

It could scarcely be a relief to the difficulties of the English Government at that time, that both parties in Scotland looked thither for help and a settlement of the political hurricane, which if allowed free scope must shake the nation to pieces. "The king's party" naturally looked to her; indeed but from her holy horror of subjects undertaking the recasting of their government, she and they were natural allies. The Hamiltons and the queen's party united together in an

[1] "Ce que Bothwellhach a faict, a esté sans mon commandement, de quoy je luy sçay aussi bon gré et meilleur, que si j'eusse esté du conseil. J'attend les mémoires qui me doivent être envoyez de la recepte de mon douaire pour faire mon estat, où je n'oublieray la pension du dict Bothwellhaugh."

In this letter she alludes to another person whom it would gratify her to see out of the world. She would be glad if any of her own people did the deed, but still more if it fell to the hangman: "Je vouldray qu'une si méchante créature, que le personnage dont il est question, fust hors de la monde, et seroy bien ayse que quelqu'un qui m'appartienst en fust l'instrument, et encore plus qu'il fust pendu de la main d'un bourreau comme il a mérité."—Labanoff, iii. 354. Some have supposed that the unfortunate Admiral Coligny is the person referred to.

[2] "I must again warn your lordship, that if free liberty be granted to the Scots queen to send and write so oft as she doth, the queen's majesty hath as much need to look unto herself as the regent before he took his death-wound, unto which wicked close I know that that queen was not ignorant, and as willing to have shared of that as she was earnest of the other."—Randolph to Cecil, 12th April 1570; Record Office, MSS., Scot., xvii. 18.

appeal so remarkable, and so unlike the temper of the times in its signal moderation, that some deep policy must have been hidden beneath it. It begins thus:—

"The present dangerous estate of this our native country, joined with consideration of the future, which threatens to baith the realms fearful accidents (if love of our country move us not on baith the parties by foresight to avoid the peril beforehand), compels us to have recourse to your majesty, as the princess of Christendom who has best means, and as we think of good reason should have the best will, to quench this heat begun amongst us before it burst out into a flame, which is able ere it be long to set both the countries on fire. We confess the first harm is like to be ours, seeing this fire already kindled in our houses; yet is the consequences thereof liable to draw your majesty's estate in fellowship of the same danger, by reason of neighbourhood and others respects, which the situation of the two kingdoms in one isle has made common to both. It is no time for us to hide the burning, whereof the smoke has begun already to discover itself. Neither can we be persuaded that your majesty will refuse us that comfort which by your concurrence will suffice to remove our inconvenient, and consequently your own, whose realm is next neighbour to this. Christian charity will not allow, neither policy permit, that whereas we require water at your hands to repress the rage of the flame, you will bring oil, timber, or other materials to increase and nourish it. For so doing, with our loss of the less, ye should procure the subversion to yourself of the mair."

They represent that the division goes down throughout the community, from the great leaders to the humblest of the people; and that it is not so unequal

a division as to leave the hope that one party may become sufficiently strong to conquer the other and rule the land. It is noted that the reason of the division is obvious: the crown is demanded for two different heads—the mother's and the son's. They call upon the queen to end this division by intervention; but they say expressly that they will not dictate or even suggest the shape in which she is to intervene: "Thus far only we will touch: the foresight of the common danger should induce us on all sides to a common consent to provide the remedy against the same, which in our opinion can be no other but by removing the cause of the division to make the effect to cease—to wit, by reducing the two claims to one, put away the haill fundament of the factions. There is neither prince, potentate, nor people in Christendom has the like interest to desire it, neither yet the like means to perform it. It is profitable for your majesty that strangers have no pretensed colour wherefore to enter in this isle, or to set foot on dry land so near your majesty's country. It is honourable to your majesty to set at an accord the two persons which are made the parties, being your next cousins, and most tender to you by blood. It is easy for your majesty to bring it to pass, as well for your credit and authority with all the parties, as that the principal party is at present in your realm." Nor are they more practically explicit when they say: "We trust no faithful counsellor ye have will advise your majesty to enter on the turmoil of a divided state; to bestow your forces, men, or money, in an unnecessary and unprofitable expedient. And unprofitable it will prove in the end if your majesty shall join your fortune with a small portion of this

realm, where you may have the haill at your devotion if ye will—to wit, if ye go about to unite us as a flock under the obedience of one head, by entering in conditions with the Queen of Scots whereby the different claims between her highness and her son may cease from henceforth." [1]

In the memorials and correspondence of the day the state of Scotland at this terrible juncture recalls the aspect of an assemblage of persons excited and angry by causes of division, and certain to quarrel, yet not ranged against each other under a distinctly divided policy. The groups form here and there, and the wrath and tendency to quarrel increase. Suddenly there is a crisis. The confusion seems to be deepening, since all appear to be rushing hither and thither. But in reality the criterion which divides the motley assembly into two has been struck; a vote is to be taken between opposite motions, and all are ranging themselves into order in two opposite groups. The Government of England took the step which sent every Scotsman to his own side, and substituted two fiercely hostile parties for general chaos.

Murray, as we have seen, had got possession of the Earl of Northumberland when he sought refuge in Scotland after the northern rebellion. But there were other refugees, eminent among whom were Nevill Earl of Westmoreland and the Lord Dacres. These did not fall into the hands of the Government, but were sheltered by the Border potentates. The Borderers found an excellent opportunity for their old trade; and a body of them, chiefly Kerrs and Scotts, made a

[1] Written towards the end of March, despatched the 16th of April.—Record Office, MSS., Scot., xvii. 50.

raid into England. The act had significance from some of the English refugees assisting them. The English Government had thus a case against Scotland so strong as to make any question about the legitimacy of the Government there a secondary one. It was an affair in which diplomacy was unnecessary, as it justified immediate action; for not only were the English rebels harboured in Scotland, but a Scots force in alliance with them had invaded England.

Before making retaliation for this act of war a State paper was issued by the English Government. It was not in the usual shape of a diplomatic message from one government to another, and there were, no doubt, well-weighed reasons why this could not be. Hence, as it had to be made public, it was impossible to divest it of the offensive form of a proclamation, the shape peculiar to the announcements made by a governing body to those who have to render obedience to it. But the matter of the document was adjusted with wonderful sagacity to counteract the evil influence of its manner. It is a fine specimen of the skill of Elizabeth's advisers. It was to let the confederates against Queen Mary feel and know that Queen Elizabeth was to strike a blow against Queen Mary's supporters in the cause of those who governed in name of the infant king; and yet there was not to be one word in justification of those who had risen against the queen—nothing leaving the inference that she was no longer queen, and no admission that Scotland was ruled by a king. Certain of Queen Elizabeth's rebellious subjects having fled to Scotland, "are there not only maintained and keeped, but so wickedly, to the dishonour of God, favoured in the countenance of

their rebellious enterprises, since their entry into that realm, by the succour of the outlaws, thieves, and disordered rebellious persons living upon the frontiers of Scotland." In company with these the rebels unnaturally invaded their own country, and that "so cruelly with fire and sword as no conjured and mortal enemies could have done more." Then comes the point of delicacy,—those peculiarities in the condition of Scotland which require her to take instead of asking redress. Her majesty finds "that although a great part of the ancient nobility and States of Scotland, who have of long time, like natural good fathers of their native country, nourished peace and concord betwixt both the realms, and at the present seem desirous to conserve the same, their native country, in common peace amongst themselves; yet they are not able presently, according to justice and the good order of the treaties, speedily to repress and stay the said outlaws and disordered persons upon the Borders from open maintenance of the said English rebels, and from the invasion of England." There are misgivings that the queen's intentions may be misinterpreted: "Her majesty has some doubt that those authors, maintainers, and stirrers of the wicked enterprises, being so manifest against the law of God and nature, will not spare, by their seditious, forged, and colourable engine of craft and malice, to slander and falsely report her majesty's intention at this time in leaving and sending of certain of her forces to her Borders for defence of the same from any further invasion, and therewith to pursue according to justice her rebellious subjects, and, according to the laws of arms, the invaders of her realm."

She is therefore very earnest that "the simple multitude, which are commonly easily seduced by the craftier, not having pretence of some rule, should not any ways fear evil or harm to follow to the good people of the country or to the public state of that crown by reason of the army of her majesty now to be conducted towards that realm." She appeals to "the wise, noble, and godly," reminding them how ten years ago she drove forth the French, and rescued them from foreign dominion; and how, when her army "being entered into the heart and principal towns, parts, and strengths of that realm, it is manifest to the world that she never sought or coveted any particular interest in that realm for herself, as she easily might."[1] This last is a hint, not too broad, of the right of superiority, which it was not wise to fling in the face of Scotland, but yet was ever available as an ultimate justification of English intervention there.

Two English forces—the one under Sussex and Hunsdon, the other under Scrope—crossed the Border, and spread ruin in the old ferocious fashion. Of the achievements of Sussex and his force we have from Sir Robert Constable a specific report, prepared with that parsimony of useless words, and dutiful attention to details, especially the inventorying of the mischief done, such as we have already seen in the reports of like inroads. We are told that Sussex, "from Wark the 17th of April, entered into the realm of Scotland, and did burn and spoil all along the river of Rule and the water of Kale, and encamped that night at Jedburgh. The next morning he marched to Fernyhurst and overthrew it, and so burned and spoiled all along

[1] Bannatyne's Memorials, 35.

the river of Teviot, and so to Hawick, and burned and spoiled it. The next day he overthrew the strong house of the Laird of Buccleuch, called Branxholm, and thence to Bedrule, a house of Sir Andrew Turnbull, and overthrew it, with divers other notable towers and houses all along those rivers aforenamed. The next night we returned to Jedburgh, where we encamped again. The next morning we dislodged and burnt all the country along the river of Bowmont, and burnt and spoilt the whole country as we marched, and came back that night to Kelso. The number of the towns and villages by estimation was above five hundred, the terror of the which caused the rest of the country to come and offer their submission to my lord-lieutenant, with all the friendship they could do to him and to his; and so we retired ourselves back again for that time, so that we rested ourselves three or four days. The 27th day, my lord-lieutenant being at Wark, accompanied with the whole bands of footmen and a thousand horse, with three battery-pieces and two sacris, went to the siege of Hume, where he planted his battery; where, within twelve hours after the battery was planted, the castle was surrendered to him, simply having within it two hundred and forty soldiers; so the soldiers departed out of it in their hose and doublets."[1]

It may be inferred from this that the terribly-tortured Border district had been busy during the quarter of a century elapsing since the latest desolation from England, since there was so much found by Sussex worth destroying. But there was another consideration more important to the heads of parties in Scot-

[1] Lodge's Illustrations, i. 508, 509.

land. What did this invasion mean? Was it to support the new Government in Scotland? or was it meaningless for the time, with a possibility that it might be turned towards the chastisement of those who had dared to rise against an anointed sovereign? So doubtful was all to those chiefly concerned, that in the midst of the work of ruin, Sussex, the chief agent, presses on Cecil the necessity of a decision on what part England is to take in Scotland—where she is to have the friend and where the enemy? He is ready to take either side, according to instruction, but it is clear that he thinks the new Government the safer side for England. "The time passeth away," he says, "and therefore it were good her majesty would resolve what she will do. For as, if she will restore the Scottish queen, it were no good policy to have me show countenance on the other side; so, if she will maintain the other side, and command me to join with them, I will, with allowance of three hundred carriage-horses, make all men within thirty miles of the Borders to obey that authority, or I will not leave a stone house for any of them to sleep in in surety that shall refuse. And if her majesty command me to pass further, I will, with the help of Morton, deliver the Castle of Edinburgh, or any other in Scotland, to any in Scotland whom Morton, with her majesty's consent, shall appoint to receive them. These matters have too long slept. It is time now to wake, and therefore, good Mr Secretary, sound the queen's mind fully; and if she intend to restore the Scotch queen, advise her to do it in convenient sort, and suffer me not to put my finger in the fire without cause, and her to be drawn into it by such degrees as are neither honourable nor sure;

and if she will set up the other side, and make open show thereof, let her command what she will, and it shall be done, or I will lie by it." [1]

There was no distinct utterance as to the ultimate policy of the invasion, but inferences might be made by noticing those who were attacked and those who were spared. It seemed as yet that the object of the invaders was merely the punishment of those Border tribes, chiefly of the Kerrs and Scotts, who had invaded England. But penetrating northward as far as the Forth and the Clyde, there was a deeper policy in the aim of the invasion. The Hamiltons and the queen's party were the sufferers. The Palace or Castle of Hamilton was stripped and battered, and the estates of the family in East Lothian were swept and plundered. Thus an opportunity came for aiding the new Government, without acknowledging the acts of those who had committed political sacrilege by uplifting the hand against their anointed queen. That this party was favoured was to be inferred only from the punishment inflicted on its enemies.

Such was the Queen of England's answer to the appeal made to her friendship and magnanimity by the supporters of her good sister. But it had the full effect of a Fabian policy, and served their turn better than foreign assistance. Those who were dubious before now saw where their enemy was—their "auld enemy" of England. There were men still able to carry a pike who had fought in the last war of extermination with the invader. Men yet in the prime of life remembered when the Scots bought English captives from the French for the sheer satisfaction of

[1] Lodge's Illustrations, i. 506.

putting them to death. Hitherto the queen's party had consisted of leaders without followers. It was said that among her supporters there were eighteen standing in precedence as nobles of the realm higher than the highest of the king's party. The strength of the king's party lay in the popular feeling, which had taken the shape of aversion to the queen. But there was another and a deeper-seated fountain of national feeling in hatred of England. The political conditions of the time enrolled those who felt this passion as supporters of Queen Mary; and thus, as it has appeared to some, a large body of the Scottish people had suddenly repented of their disloyalty and returned to their duty.

To counteract the spirit thus created there was the influence of the Reformation. In some measure this was an influence partaking of religious sincerity. But there were selfish interests allied to it. The institutions of the country and a great part of the national wealth were identified with the existence of the new Church, and the restoration of the queen would render imminent the risk of a counter-revolution, in which personal interests would be deeply injured. Now for the first time was Scotland divided into the elements that make a true civil war. Of old there had been contests between the Saxon and the Celt. The English Saxon, when he was made the instrument of Norman aggression, was beaten back by his brother Saxon of Scotland. Aggrandising families like the Douglases wrought confusion and bloodshed for a time, and there were many secondary causes of contention. Now, however, for the first time, the people of Scotland were divided, and that nearly equally,

between two allegiances; and all who knew the nature of that people must have been prepared for a domestic war of extermination.

The troubled waters were now at hand in which it delighted such a politician as Lethington to angle. When the English general taunted him as to his doubtful conduct, it was with something like a jeer that he said of that general's army, "They have reasonably well acquitted themselves of the duty of old enemies, and have burned and spoiled as much ground within Scotland as any army of England did in one year these hundred years bypast, which may suffice for a two months' work; although you do no more."[1]

The change in the political conditions found the duke, Lethington, and some others, inmates of the Castle of Edinburgh. It now served them for protection, as indeed it had Lethington from the beginning. He resumed his old office as Secretary of State, but now he was acting as secretary to the queen. He was nominally under accusation of treason and murder. The law even then afforded accused persons the means of relief from the continued suspension of a criminal charge over their heads, by empowering them to force it to an issue. Lethington thus passed through the form of a trial. A verdict of acquittal, a "cleansing by assize," as it was termed, was a useful possession to almost any Scots statesman of that day. Hence, as in the memorable instance of Bothwell, we sometimes find that when a man is at the summit of his power he is clamorous to be put on trial for some grave crime.

Beside him was another person who was to be sadly

[1] Quoted, P. F. Tytler.

conspicuous in the shiftings of the tragic drama—Kirkcaldy of Grange, the captain or governor of the Castle of Edinburgh. The commanders of the four great strongholds, Edinburgh, Stirling, Dunbar, and Dumbarton, were each a separate power in the State, and his appointment was a serious affair of policy. When with much difficulty the dubious Balfour was removed from the command, the choice of his successor seemed peculiarly happy. He was the first, through dangers and difficulties, to court the English alliance as the means of safety from the ambitious projects of France. He was one of the few laymen who had more than a self-interested attachment to the Reformed Church. He had been an enemy of the queen's cause—not ferocious or cruel, for these defects were not in his nature, but not therefore the less thorough and stanch. Had he been intrusted with his charge by the queen's party, and then held it for the enemy, there would have been little scruple in heaping terms of infamy upon his memory; but as it was to Queen Mary that he handed over the charge intrusted to him by the new Government, the transaction tended to increase his fame as a loyal and chivalrous soldier. Murray, as we have seen, doubted him. He was now the enemy of the king's party, and the manner in which he announced his new position was emphatic and picturesque. Morton was by force of circumstances the leader of the king's party. As he was riding with a train of followers along the fields under the castle rock, a gun was fired, and a ball came bounding into the cavalcade. This was Grange's announcement that Morton and he were enemies.

It remains that the king's party should have a new

head to succeed to the murdered regent. Here the selection and its method tended to complete the splitting of Scotland into two parties. The Earl of Lennox was the man. He was appointed in the mean time Lieutenant-Governor of Scotland, that the business of the Government might not be interrupted while the question of his advancement to the regency was deliberately considered. It will be remembered that he married the daughter of Henry VIII.'s sister, and that he was the father of Darnley. He was now an old man. He abode, and might have continued to abide, in peaceful affluence on his English estate of Temple Newsome. It might have been forgotten, had not his return to political life reminded his countrymen, that when he was some thirty years younger he was punished for what his countrymen counted an attempt to sell them to King Henry.[1] He was a subject of Queen Elizabeth. He was much in her confidence, and virtually he was sent by her to rule Scotland in her interest. The method of the transaction gave the other party a fair ground for putting it in this form; for although he was chosen by the heads of the king's party at a meeting where they counted themselves to be the Estates of the realm, yet they put themselves into diplomatic communication with Queen Elizabeth, and it was by her sanction and permission that he accepted of the proffered office.

The form of the intervention was as important as the act itself. At a meeting at Stirling, the heads of the king's party, at which Lennox was present, sent to Queen Elizabeth a despatch requesting her advice on the question whom they should choose as regent.

[1] See above, chap. xxxiv.

She said she was glad to help them, but loath to dictate. She would rather that they selected and she approved. In the mean time, however, she will not hide her opinion from them. If their choice should alight on the Earl of Lennox, their king's grandfather, she thinks "none can be chosen in that whole realm that shall more desire the preservation of the king, and be more made to have the government for his safety, being next to him in blood of any noblemen of that realm or elsewhere."

If the king's party thus courted the stigma of acting under English dictation, they gained some equivalent in at length extracting from the Queen of England an acknowledgment of their new Government. Her despatch of 2d July was in this respect totally different in purport from the other just referred to, dated in April. The Scots had urged it upon her that "great inconvenients" had come of the lack on her part of any "resolute answer concerning the establishment of the regimen of the realm under their young king." She was now, however, to be resolute in her undertaking. She accepts the political situation in the shape in which it is put. Scotland has a king; but he is a child, and another must in the mean time rule for him. There are a few words, to keep up consistency with her championship of Queen Mary. She has promised to hear what that queen has to say for herself, and will yet hear her, both for her own sake and the welfare of her realm. Then follows: "Yet not knowing what the same may be that shall so be offered, we mean not to break the order of law and justice by advancing her cause or prejudging her contrary before we shall deliberate and assuredly see,

upon the hearing of the whole, some plain, necessary, and just cause so to do."

That there was no chance of her finding "just cause" for advancing the claims of Queen Mary, the king's party might be well assured in what follows: "And therefore finding that realm ruled by a king, and the same affirmed by laws of that realm, and therefore invested by coronation and other solemnities used and requisite, and generally so received by the whole Estates;—we mean not by yielding to hear the complaints or informations of the queen against her son to do any act whereby to make conclusion of governments, but, as we have found it, to suffer the same to continue; yea, not to suffer it to be altered by any means that we may impesch, as to our honour it doth belong, and as by our late actions hath manifestly appeared, until by some justice and clear cause we shall be directly induced otherwise to declare our opinion; and this we would have them to know to be our determination and courtesy that we mean to hold, wherein we trust they for their king may see how plainly and honourably we mean to proceed, and how little cause they have to doubt of us, whatever to the contrary they hear or shall hear." [1]

Hereafter we find the dictatorial feature somewhat strengthened in Queen Elizabeth's dealing with Scotland as if she addressed rather her own subordinates than the rulers of a sovereign state. She issued a request equivalent to a demand to abstain from war until she should settle the affairs of Scotland, and was angry when her wishes were disregarded. It was to be war as well as peace just as she chose; for when the

[1] Bannatyne's Memorials, 46.

new regent entered Scotland it was as joint-leader with Sir William Drury of a part of the English army that had invaded Scotland.[1]

To the Hamiltons the selection of Lennox as Governor of Scotland was a special blow. It pointed in the direction of the Lennox family being the next heirs of the crown. That he was the grandfather of the king was of course his chief qualification for the office. By the law of private rights the nearest relation on the male side, who would be the heir or the heir's parent, took the management of the estate. Thus had Arran acted as governor in Queen Mary's minority, and now as the duke he was her regent or lieutenant over Scotland while she was under incapacity as a prisoner abroad. But the king's regent or lieutenant was his own nearest relation by the father's side. If the opportunity came for the house of Lennox pressing a claim for the succession to the crown, this appointment to the regency would of course strengthen their hands for a contest.

To the extent of one successful blow the new regency began auspiciously. The centre of support to Queen Mary's party was Dumbarton Castle. How available it was for immediate communication with France, was shown when she, an infant, was snatched from the grasp of Henry VIII., and sent to be reared at the French Court. Since the change of government it had been the means of constant intercourse with the Continent, whence it was supplied with arms and provisions. Such portions of Queen Mary's French dowry as she could realise in that period of trouble to France as well as other countries was chiefly employed within

[1] Diurnal of Occurrents, 176.

the stronghold on which so much of her hope for the future rested. At a moment of difficulty we find her obtaining a loan of a thousand crowns from the renowned Spanish general Alva chiefly for this purpose.

The cleft rock on which this fortress stood is too well known to need description. To keep up its name as a fort, a few buildings of late date, forming a sort of barrack, still stand in the cleft and the slope at the foot of the rock. Of old the fortifications, occupying accessible ledges on the way up, culminated to the top of the rock, as at Edinburgh and Stirling; and its height and isolation from other eminences were the reasons, under the old ideas of fortification, for selecting it as the site for one of the chief national strongholds.

The place appears to have been hitherto unmolested, and there was no indication of preparation for a siege. This was all the more propitious for the project on hand, since it is scarcely possible to support ceaseless vigilance in a small body of men who day after day and month after month find themselves let alone. It was resolved to make a sudden dash at the place and take it by assault, the shape in which it was most usual for Scottish fortresses to change hands. The service was intrusted to Thomas Crawford of Jordanhill. We have twice crossed this man in the course of our story. It was he who kept the significant note of what passed between Queen Mary and her sick husband in Glasgow, and it was he who accused Lethington as one of the murderers of Darnley. Thus, for all he had hitherto done, his name might have been merely found in the obscure byways of history as belonging to something like a spy and informer. But his oppor-

tunity had now come, and he was to be remembered as the hero of one of the most daring and successful achievements in the warfare of his day.[1]

The truce expired with the month of March, and on the 1st of April the regent and Crawford adjusted the project in Glasgow. The first step was to send on small parties to hold the ways between Glasgow and Dumbarton, so that no intimation of the design might reach the garrison. The drum was then "struck" in the streets of Glasgow, and a hundred men were picked out of those who agreed to serve on the expedition.

The leader had the assistance of a guide who had once served as a sentinel in the castle, "who knew all the crags, where it was best to climb, and where fewest ladders would serve." The party marched in silence, so as to reach the spot when the moon disappeared about one o'clock. They occupied an hour in preparation, and then they had little more than three hours for their work before sunrise. Meanwhile a fog helped

[1] Crawford, though we do not at any earlier period cross him as a conspicuous figure in the wars of the times, was an old experienced soldier. He was taken captive at Pinkie Cleuch in 1547. He died in 1594, and was buried in the churchyard of Kilbirnie, in Ayrshire, where this inscription will be found on a monument to his memory: "God schaw the right. Heir lyis Thomas Craufurd of Jordanhil, sext son to Laurence Craufurd of Kilbirny, and Jonet Ker, his spous, eldest dochter to Robert Ker of Kerrisland." The monument itself is peculiar and attractive. There is a recumbent statue of the warrior himself in armour, and of his wife, side by side, after the old Gothic fashion, which was becoming obsolete. The figures lie within a quadrangular piece of stonework like a sarcophagus, and they are seen through slits which admit a dim light, giving the statues a mysterious funereal tone. The church of Kilbirnie, though outside it is plain and inexpressive, like the churches built in Scotland after the Reformation, has beauties inside worth examining. Chief among these is a gallery which belonged to the Crawford family. It has some rich carved woodwork of the Renaissance period, a thing very rarely to be found in the churches of Scotland.

the darkness. Their siege-apparatus consisted of ladders with "craws" or clamps of iron to catch the angles of the trap-rock. Their plan of operation was that, each man having his hackbut or musket slung on his back, all were to move in single file, the guide leading, followed by Crawford. A rope passed along the whole line. It strung them together, so that without light each man had the means of keeping his place in the line. For the first part of the ascent they had to use the ladders. There were several discouraging casualties at this point, one of which, as told by Buchanan, and by him only among contemporaries, gives much picturesqueness to the feat. One of the men was seized with a fit of epilepsy. He held to the ladder with a convulsive grasp, completely blocking the way. The leader ordered him to be tied to the ladder; it was then turned round, and the passage was once more free.

The top of the ladder was still some twenty feet from the first ledge or terrace. Crawford, who seems to have been an expert cragsman, scrambled up to it along with the guide. Apt to their purpose a small tree grew on the ledge; to this they fixed ropes, dropping them for the assistance of the others. They were still fourscore fathoms from the wall. Up this distance Crawford and the guide again scrambled, letting down ropes to the others. It was not till they began mounting the wall and descending within that a sentinel saw them and roused the garrison. This part of the works seems to have been left unguarded, in reliance on its natural inaccessibility. Once gained, it was the most available part of all the fortress for those who had it. It was in itself, in fact, a separate

fortress overlooking that of the garrison. The assailants turned the cannon upon the lower processes of the fortress, and that, not as a besieger's artillery would play, on the face of the walls and ramparts, but on the open sloping space behind them, before which they were raised to give protection against enemies from below, not from above. Thus the garrison were utterly helpless.[1] Fleming the governor escaped by a boat, leaving his wife, who, by the admission of all parties, was courteously treated by the victors. Of the few casualties, all fell to the garrison. Some of them got over the wall, and a few were taken.

The king's party had some other successful affairs, one especially at Brechin and another at Paisley; but the taking of Dumbarton was the crowning triumph, to which these were mere auxiliaries. There was no longer a place of absolute refuge for the queen's party —a door of communication with their friends abroad, and a secure entrance into Scotland for a foreign force.

[1] No one seems to have attempted to identify the precise track of the escaladers, and indeed one might wander about the rock and fix on point after point as complying with all the conditions of the narrative. If bound to fix the point of ascent, I would put it at the south side of the more westerly of the two heights, and thus a little to the left of the present entrance to the fortress. This leads to the higher of the two tops, and when this is reached the command over the others appears complete; and it is seen how cannon pointed from it would within an easy range cover an enemy placed on a sloping bank above the protection of ramparts or walls intended to protect them from assault from the cleft in the rock and other parts below, but not built in anticipation of a cannonade from the higher summit. The rock, though it has an appearance very hopeless to the climber both at a distance and close by, is not unsuitable for escalade. It is a clean crystalline black trap, too hard either to be scarped by the defenders or notched by the assailants. But from its crystalline character it would present steps and angular points which might be thoroughly trusted to hold against any pressure.

Among the merciful precepts which philosophers have endeavoured to teach to statesmen and warriors, one is, that in war all great blows should be directed against some centre of the enemy's power, where his capacity for hostility may be paralysed with the smallest cost in human life and misery. It would be difficult to find an achievement so thoroughly fulfilling this condition as the taking of Dumbarton Castle. More than any other event it is entitled to the credit of turning the balance between King James and Queen Mary, which means the balance between the French and the English alliance. The acquisition cost only four human lives. The assailants lost none: four of the garrison were killed; and a local historian thinks it right to add that their death was "more by accident than design." On the day of the capture the regent triumphantly dined in the castle on the good cheer supplied for the garrison by the French. Much valuable spoil was obtained; but the most precious of all the acquisitions made by the victors was John Hamilton, the Archbishop of St Andrews, who was found with his harness on ready to fight. He was conveyed in custody to Stirling Castle. It will be observed that the 2d of April was the day of his seizure; on the 7th, at two o'clock in the afternoon, he was hanged on the common gibbet in the market-place of Stirling. There is no record of his trial and condemnation, but it is generally stated by contemporary writers that there was the form of a trial. It went on three charges of crime in which he was principal or accessory — the murder of Darnley, a conspiracy against the young prince, and the murder of the Regent Murray. Even in the mere form

of a trial there was a touch of scrupulosity; for Hamilton, as we have seen, had been "forefaulted" or outlawed in Parliament. A wolf's head, as it used to be metaphorically said, was put upon his shoulders, and he was placed beyond the protection of the law. Taken, too, as he was, in an enemy's fortress which he was accoutred to defend, it would have been but a slight addition to the violences of the age had he been killed on the spot.

Yet, although the form of law was given to the tragedy, it was an act of vengeance rather than of justice. This was shown in the humiliating shape in which the tragedy was completed, as well as in other little incidents. Among these was the placing on the gibbet a couple of lines endowed with an epigrammatic terseness worthy of a better spirit.[1] Of course both the religious and the moral codes of the present day forbid any justification of such an act done in such a spirit. Yet the death of Hamilton was a natural event, not to be lifted to the level of those great outrages which made Europe hold its breath as at astounding examples of crime, such as the three great murders which had just made Scotland a byword. Hamilton had been long devoutly detested by the bulk of his countrymen. It was remembered throughout all the Protestant community that the latest persecutions, even unto death, for the Church of Rome, were especially his doing. He was the suggester and director of the policy of the Hamiltons, and in later times the special shape of their policy had been murder. He was believed to have instigated the

[1] "Cresce diu felix arbor, semperque vireto
Frondibus, ut nobis talia poma feras."

tragedy of the Kirk-of-Field. His had been the head that planned the death of the regent, though the deed had been committed to the hand of another Hamilton. There was at that time a John Hamilton, a secular priest, understood to be a trusted agent of Alva, and deep in his bloody secrets. He was called the "Skirmisher," and whatever suspicions there might be about the nature of his acts were confirmed by a crime that made his name ring over Europe — the murder of the great French civilian Barnabé Brissot.[1] It was noted among the signs of Grange's apostasy, that in Edinburgh, where he was all-powerful, he tolerated "a set of the strongest throat-cutters of the Hamiltons going plainly upon the Edinburgh causey."[2]

[1] We may have to treat of this man elsewhere as one of the literary ornaments of the old Church. His practical life, so much of it as came above ground, belongs less to Scotland than to France, where, under the name of the Curé de St Cosme, his feats are among the wildest in the history of the League. One of the biographies written by Lord Hailes is the 'Life of John Hamilton, a Secular Priest.' The able author of this sketch was dry almost to affectation, but all his art could not divest so wild and varied a life of a certain picturesqueness when all of it was accurately told. His connection with Alva is thus noted by John Knox's secretary: "In this mean time there came from Flanders a little pink, and in it two gentlemen, with Mr John Hamilton, called the 'Skirmisher,' fra Duke d'Alva. The heads of their commission are not yet notified," &c.—Bannatyne's Memorials, 51. Froude, in his foreign researches, had come across the track of this John Hamilton, when, in reference to Bothwellhaugh, he says: "Assassination was an accomplishment in his family. John Hamilton, a notorious desperado, who was his brother or near relative, had been employed in France to murder Coligny, and, singularly enough, at that very moment Philip II., who valued such services, had his eye upon him as a person who might be sent to look after, as Philip pleasantly put it, the Prince of Orange. The cavalier would have taken with the utmost kindness to the occupation, but his reputation for such atrocities was so notorious that Philip was obliged to choose some one against whom the prince would be less likely to be upon his guard."—Vol. ix. 577.

[2] Bannatyne's Memorials, 128.

Without the archbishop this mischievous gang would be powerless. The head of the house, as we have seen, was a byword for infirmity of purpose, and neither of his sons had capacity for affairs.

The queen's party determined in their turn to strike a great blow. Their project, had it entirely succeeded, would have been more than substantial retribution for the seizure of Dumbarton; but it ended in nothing but empty revenge for the death of Hamilton. An attempt had been made in May to hold a meeting of the Estates in Edinburgh. They made the attempt in a part of the city outside the wall; but they found even this place too hot for them, and retired without transacting business. They adjourned to Stirling, where a solemn Parliament was held. This brought into one group all that was valuable to the new cause—the territorial aristocracy and other leading men, the regent, and the infant king himself. This was the first solemn assemblage of the Estates since the critical Parliament of 1567. There had been casual meetings, chiefly for forfeitures, but no transaction of legislative business. This Parliament opened on the 28th of August 1571. It was inaugurated by two incidents afterwards deemed ominous. John Row, one of the most zealous of Knox's followers, having to preach before the assemblage, took advantage of his opportunity, and "in plain pulpit pronounced to the lords for their covetousness, and because they would not grant the just petitions of the Kirk, God's hasty vengeance to fall upon them."[1] The other prognostic was of a more pleasant kind. The infant king was its hero, and it individualised him among his people as

[1] Bannatyne's Memorials, 185.

they heard it. The story is best told in the words of a contemporary: "The king being conveyed to the Parliament House, and set at the board, by fortune he espied a hole in the board-cloth; so that, as young childer are always unconstant and restless, he pressed to attain to the hole with his finger, and asked of a lord wha sat near by him to know what house that was? and he answered that it was 'the Parliament House.' Then said the king, 'This Parliament has a hole in it.' Quhether God inspired the babe with prophecy at that time or not I will not dispute, but in very deed the chief leader of that Parliament was stopped with sick a hole within five days after this saying that was the very cause of his death."[1]

On the 3d of September a force left Edinburgh on an expedition. It consisted of three hundred horsemen and eighty hackbutters or musketeers, who were mounted behind so many horsemen. Nominally it was commanded by Huntly, the queen's lieutenant, but the guide and real commander was named Bell. The leaders kept their counsel well, and gave currency to a report that they were to assail the town of Jedburgh. Nothing could be more natural, for that community had sorely insulted the queen's party. A pursuivant had been sent from the castle to proclaim the queen's authority in Jedburgh; but the magistrates and burghers not only compelled him to swallow his parchment writ, but untrussed his points and assailed him with leather straps after the manner of the dorsal discipline administered to schoolboys.[2]

The force that seemed naturally despatched to avenge

[1] Historie of James the Sext, 88. [2] Bannatyne's Memorials, 177.

this insult, leaving Edinburgh in the direction of the Border, was suddenly wheeled westward, and reached Stirling between three and four o'clock on the morning of the 4th. The king appears to have been within the castle; but the regent and the other members of the Estates were quartered in the town, which, for all that it contained so precious a treasure, seems to have been unguarded. The assailants were able to sweep the streets with cries for the queen and vengeance for the archbishop. They battered in the doors of the houses occupied by the regent and Morton, and took them both, dragging them, with several other prisoners, towards the Nether Port or outer gate. The assailants would have got clear off with their spoil but for the character of their troops. These being Borderers, could not resist sacking the sleeping city, and were busy stripping the booths and emptying the stables of the valuable stock of horses belonging to the Court and the members of the Estates. Some time, too, had been lost in the attack on Morton's house, which was too strong to be easily entered. The garrison of the castle had thus time to act. The governor, Mar, planted a party in the unfinished building still called Mar's Work, and marched another on the enemy. They were joined by some of the burghers, and the assailants had now to abandon their prisoners and take to flight. Ere this was done, however, one of them, James Calder, fired at the regent, and hit him mortally in the lower part of the body. Spence of Wormiston, one of the assailing party who attended on the regent to protect him, was killed by a bullet; and in the confusion it was not known whether it was aimed by one of his own people at the regent, or was

dealt by the other party. The wounded regent lamented the death of his protector, of whom a chronicler not given to eloquence says, "He was in all his life sa gentle, sa humane, sa kind, sa handy, and sa prosperous and happy in all his wars, that his like easily could not heretofore be founden."[1]

The Laird of Buccleuch had taken special charge of Morton for the like worthy purpose of protecting him from the Borderers. "I will save your life as you saved mine," said Morton, when the tide turned so that the captive became custodier. The assailants had taken many lives during their brief command of the streets, and now they were chased, with much slaughter, as far as the village of St Ninians.

The wounded regent lingered in life some hours. Like many fulfilments of prophecies, his fate was scarcely a logical consummation of Durie's denunciation; for we are told that "at this Parliament, because the petitions of the Kirk were contemned, and the ministers called proud knaves, with other injurious words, by the lords for subtaking of their liberty, yet the poor regent approved their petitions, and acknowledged them to be most reasonable, and was willing to further the same; but the lords, Morton especially, who ruled all, said he should lay their pride, and put order to them, with many other injurious words."[2] Some sentences were recorded as dropping from the lips of the dying regent; they were in general, after the usual manner, praying for the prosperity of his country and his cause, but the last were about his "poor wife Meg." She, it will be remembered, was the daughter of Angus and Henry VIII.'s sister. Some thirty years earlier,

[1] Diurnal of Occurrents, 249. [2] Bannatyne's Memorials, 186.

the love which Lennox and the high-born maiden bore to each other was an element of purity and gentleness in a household credited with dark political intrigues. In the after-life, which was so closely mixed with the horrible story of their son's career, this light still burned, and it brightened the last scene of all.[1]

[1] Some traces of the love-story of Lennox and Margaret Douglas enliven those State papers of the year 1544 which exhibit the designs of Henry VIII. against Scotland. On the 8th of March Hertford intimates to Henry that Thomas Bishop, Lennox's secretary, "repaireth purposely to the Court for to see the Lady Margaret, with whom he saith the said earl is so far in love that if it so please your majesty that matter is like to take effect." Henry, less after the fashion of a Bluebeard than of the beneficent bachelor uncle who blesses the happy pair on the stage, likes the general aspect of the alliance, and "would be contented that the said marriage do take effect between him and our said niece;" but he must first see how they like each other, "forasmuch as we have promised unto our niece never to cause her to marry any but whom she shall find in her own heart to love."—Leman's State Papers, iv. 363, 365. Mr Froude has formed the opinion—and it seems to be well supported—that Meg was a very politic person: "She had tried to persuade Mary Tudor to execute Elizabeth, that the crown might fall to herself. She had contrived Darnley's marriage with the Queen of Scots to unite their titles, and had worked hard to organise the Catholic party for a rising in England in their favour"—(xi. 72). This view accounts for a letter by Queen Mary on which the more enthusiastic of the Vindicators have expended much gratulation. It was written to Beaton, and professes to be a revocation of the charge of murdering her son maintained by her against Queen Mary. It bears date 2d May 1578, a time when there was a strong belief that Mary would soon be queen both of England and Scotland. "This acknowledgment," says Mr Froude, "which was of extreme value at the time to the Queen of Scots in assisting her to clear her reputation, has been relied upon in later times as evidence in her favour. It is worth while to observe, therefore, that Lady Lennox continued long after to speak in her old language to others. Elizabeth, suspecting the reconciliation, questioned her about it. 'I asked her majesty if she could think so,' Lady Lennox wrote to Burghley; 'for I was made of flesh and blood, and could never forget the murder of my child; and she said, Nay, by her faith, she could not think that ever I could forget it, for if I would I were a devil'"—(xi. 72).

CHAPTER LIV.

The Regency.

(*Continued.*)

MAR SUCCEEDING LENNOX — THE WAR CONTINUED IN EDINBURGH—KIRKCALDY OF GRANGE AND HIS ESCAPADES—HIS QUARREL WITH KNOX—KNOX AND OTHERS ON PRAYING FOR THE QUEEN—KNOX'S DANGER—FINAL DISCUSSION IN THE CASTLE BETWEEN KNOX ON THE ONE HAND AND GRANGE AND LETHINGTON ON THE OTHER—THE POLICY OF LETHINGTON—HIS APPEAL TO FRANCE—THE ACCOMPANYING REVELATIONS ABOUT THE DANGER OF THE QUEEN'S CAUSE — THE NATURE OF THE CONTEST—THE GORDONS IN THE NORTH—THE BATTLE OF THE CRAIBSTONE—THE BURNING OF THE HOUSE OF TOWIE — READJUSTMENT OF THE CHURCH — TULCHAN BISHOPS—KNOX'S DEPARTURE FROM EDINBURGH—HIS POSITION WITH THE BRETHREN—HIS RETURN AND DEATH—DEATH OF THE REGENT MAR.

As yet the Parliament had transacted no business, and their first step was to choose a regent, since, as the minutes of their proceedings bear, "one is more convenient to govern and rule in the king's majesty's minority than more." The election, made on the 5th, the day after the regent's death, was effected in a shape thoroughly deliberative and constitutional. The Estates, in the first place, passed a resolution to acknowledge and obey the person who might be chosen by the

majority. A leet was made of the names of three earls —Argyle, Morton, and Mar. The last was then chosen by the majority of the votes of those present. Before taking the oath of office, he protested, and probably with a sincerity seldom accorded to those who profess reluctance to ascend into high places, that the office was none of his seeking. "Albeit," he said, "it has pleased you by common voice and assent to accord that I shall be placed in the charge of regiment to the king's majesty, his realm and lieges, during his highness's minority; whilk place, I avow before God and the world, I was never ambitious of, neither can it be beneficial to me nor any of mine in any respect, considering the present troubled state of the realm, and the hard reward that such as have preceded in that office has received."[1]

It will now be proper to look a few months backwards, that we may follow consecutively the track of events tending to concentrate the struggle in Edinburgh. There the possession of the castle was a power capable of enlarging itself. Repeated sallies were made into the streets. It was deemed a conclusive act of hostility to the existing Government when a party from the garrison seized the Tolbooth, containing the Parliament House, the courts of law, and the prison, in the manner to be presently told. At last Grange was master of the town as well as the castle. He played at this time some pranks of captious eccentricity, as if he were seeking quarrels—a pursuit not unusual with those who are ill at ease from changing sides, and feel as if it would be comfortable rather to be driven into a hostile position by enemies than to

[1] Act. Parl., iii. 65.

take it up against friends. In June he issued a sort of cartel of general defiance to all those who, as he says, had "given out to the people false and untrue tales of me, calling me ane traitor and murtherer, and assister of murtherers, and especially allower of the slaughter of the Earl of Murray, late regent of good memory, to whom it is notour what good affection I bore, and for whom during his life I hazarded all that I had in the world, and divers times my person, in places where the authors of such calumnies durst not to have shown their faces." He concludes in the usual phraseology of the duello—to whomsoever he be that participates in such charges, he will be told that he "lies in his throat." Alexander Stewart, son of the Lord Garlies, took up the challenge; but instead of leading to a passage at arms, the affair took the shape that would have been the last thing chosen by the heroic Grange when in his right condition—the shape of a long, bitter, and foul correspondence.[1] Another of his quarrels was still less glorious; but it had considerable results, and is curious as showing the antiquity of a practice better known a century later. It consisted in administering personal chastisement to an opponent through hirelings, and treating him as a person so base that there was no disgrace in refusing him personal satisfaction by the duello for the injuries inflicted on him.

John Kirkcaldy, a cousin of Grange, had gone to Dunfermline, in Fifeshire, to act as an assizer or juryman. He there met with some of the family of Durie and their followers. There was a squabble, in which Kirkcaldy received a blow in the face from a fist. The

[1] Bannatyne's Memorials, 141 *et seq.*

magistrates of Dunfermline interposed, and prevented bloodshed. These Duries were the neighbours and hereditary enemies of the Kirkcaldies. Grange says of them, in a spirit which he seems to have thought forgiving: "It is notoriously known" that they "have done to me and mine many great offences, grievous injuries, and exorbitant displeasures—the principal of that house being the chief author of the death and destruction of my grandsire, the Laird of Raith, with the ruin of his house. And sinsyne have they not daily and continually molested and troubled us, his posterity and friends, in our righteous titles, native realms, and auld possessions? and yet, praised be God, we never made us to take revenge thereof by way of deid or bloodshed, but patiently have suffered and sustained the same as Christians."[1] One of those concerned in the squabble afterwards appeared in the streets of Edinburgh, where, as Grange says, he "most disdainfully passeth up and down the town, and most proudly crossed my servants' gates with such jesting and mocking means and countenance as would have irritate and commoved the most patient flesh living." The poor fellow paid heavily for his bravado. Grange sent half-a-dozen varlets to chastise him with the cudgel. They found him just embarking at Leith. Instead of patiently enduring his chastisement, he resisted—swords were drawn, and he was left dead. In the attempt to escape, one of the assailants was seized and committed to the Tolbooth. Grange determined to attack this building and release his man. He secured the great bell of St Giles's, the tocsin used for assembling the citizens in time of trouble. A

[1] Bannatyne's Memorials, 74.

party then attacked the building; it was strong, and stood a short siege, but an entry was forced ere morning. The prisoner was taken to the castle along with another, about whom there was a mystery—a woman. She was said to be connected with the Hamiltons, and under charge of accession to the murder of the Regent Murray. All Edinburgh was that night roused and excited by the thundering of the castle artillery. What occasion there was for this no one could make out, and it was set down as a mere act of wanton mischief, intended to frighten and insult the citizens.

These affairs happened before the taking of Dumbarton, during the truce accepted at the desire of Queen Elizabeth. Kirkcaldy would not admit that they were acts of war; they did not reach that dignity, being the mere chastisement of insolent citizens. Cecil wrote a letter to Grange, denouncing in strong terms his general conduct and this special act; but a scolding from such a quarter tended to serve his turn by imparting to his doings the complexion of a quarrel with England.

The outrage in the city created another quarrel nearer home, and Grange cannot stand quite clear of the charge that he fostered this quarrel to serve his purpose. It was desirable that Knox and he should come to issue as enemies. It was never a very difficult task to get Knox into that position, and here he gave the opportunity promptly by censuring Grange from the pulpit on the forenoon of the ensuing Sunday. As Craig preached in the afternoon, a paper was put into his hands. It was from Grange, and in these words:—

"This day John Knox in his sermon openly called

me a murderer and a throat-cutter; wherein he has spoken further than he is able to justify, for I take God to be my damnation if it was my mind that that man's blood should have been shed whereof he has called me the murderer. And the same God I desire from the bottom of my heart to pour out His vengeance suddenly upon him or me, whether of us twa has been most desirous of innocent blood. This I desire you in God's name to declare openly to the people."[1]

Craig did not comply with this request, referring him who tendered it to the judicatories of the Church, of which Grange still professed to be a member. There Knox denied that he had used such words. He had spoken more in sorrow than in anger. He had said, to be sure, that "in his days he never saw so slanderous, so malapert, so fearful and tyrannous a fact." But what made him feel it thus was his old esteem for the doer of it: "If the committer had been a man without God, a throat-cutter, and sic ane as had never known the works of God, it had moved me no more than other riots and enormities that my eyes have seen the prince of this world—Satan, by his instruments, wicked men—raise up against Jesus Christ now preached; but to see stars fall from heaven, and a man of knowledge to commit so manifest treason,—what godly heart cannot but lament, tremble, and fear? God be merciful, for the example is terrible, and we have all need earnestly to call to God 'Lead us not into temptation,' and especially to deliver us from the company of the wicked; for within these few years men would have looked for other fruits of that man than now have budded forth."[2]

[1] Bannatyne's Memorials, 72. [2] Ibid., 76.

It was supposed that Grange was in some measure satisfied. He heard, however, that Knox continued to preach against him, and he resolved to meet his enemy on his own ground. It was upwards of a year since he had attended the church services; but he went again once for all, professedly out of respect to the widow of the late regent, who was going to hear Knox preach. Grange took with him a strong armed escort, consisting, as it was remarked, of those who had been the most conspicuous in the recent outrages. Knox, as his secretary tells us, preached on that occasion sharply "against all such as forgot God's benefits received; and entreating of God's great mercies bestowed upon penitent sinners, according to his common manner, he forewarned proud contemners that God's mercy appertained not to such as with knowledge proudly transgressed, and after more proudly maintained the same."[1]

Grange spoke his anger to those around him, and so loudly, it was said, as to be virtually addressing the congregation. Knox was in the mean time in a state of transition into another quarrel, with a deeper root in the political conditions of the time. Grange's garrison being master of Edinburgh, would have the clergy pray for the queen. Instead of conforming with this desire, Knox spoke of her in his usual manner. In this and in other matters he thought that his brethren showed symptoms of waning zeal. His worthy secretary went to an assembly of the clergy, and put it to them that they should back his master in this quarrel, and that with no uncertain sound. By the secretary's report, "they all said that they would bear their part of the

[1] Bannatyne's Memorials, 81.

burden" with Knox; but they did not act so as to satisfy Knox's secretary of the sufficiency of their zeal. He desired that they should pass an Act of Assembly in support of his master. According to his modest and surely honest chronicle, he put it thus: "I desire your wisdoms to make it manifest and known by some public edict that ye approve his doctrine, consent, agree with him that ye are of one mind and judgment with him, and that ye sing all one song; that thereby the rest of ministers bearing part of the burden with him, which in my judgment now lies only on his back, the enemies have no occasion to say—It is only John Knox that speaks against the queen." The assembled clergy, however, would not commit themselves to such a resolution. The secretary admits that he "was not a little in choler;" and he tried to fix them to the point in another shape — getting a protest recorded by a notary that the ministers present had expressed themselves for Knox. Such protestation was taken by a feudal symbol, which had come to be by putting a coin into the notary's hand. Richard Bannatyne took instruments by offering "a plack," a very small copper coin, to "Mr George M'Kesone, soliciter for the Kirk." We are told that "the said Mr George promised to bear witness, as his handwrit hereof testifies, but refused the plack, and said it needed not." Altogether Knox's secretary, Richard Bannatyne, disliked the aspect of the affair. He records the names of those present who would not commit themselves, but whom he endeavoured to commit, and they amount to but eighteen.[1] It may be noticed in passing that there is no notice of the affair in such records of the ecclesiasti-

[1] Bannatyne's Memorials, 95, 96.

cal business of the day as are now known. We are told of a further aggravation, how some out of that small assemblage of brethren actually "travelled" with Knox "that he should pass over all such accusations with silence;" but that was not his way. He still had the pulpit, and would use it so long as his failing limbs could take him up to it; and he answered his discreet friends: "The Kirk may forbid my preaching, but to stop my tongue being in the pulpit it may not; and therefore either let me be discharged, or else let you and the adversaries both look for an answer." The answer came;—he had been accused of railing and sedition in his treatment of Queen Mary, and in repudiating this charge he said: "That I have called her ane obstinate adolatrice, ane that consented to the murther of her awn husband, and ane that has committed whoredom and villanous adultery, I gladly grant, and never minds to deny; but railing and sedition they are never able to prove in me, till they first compel Isaiah, Jeremiah, and Ezekiel, St Paul and others, to recant, of whom I have learned plainly and boldly to call wickedness by its own terms —a fig a fig, and a spade a spade."[1]

So the conclusion he had come to and would keep at was: "I pray not for her. I answer I am not bound to pray for her in this place, for sovereign to me she is not; and I let them understand that I am not a man of law that has my tongue to sell for silver or favour of the world."

Once let loose in this strain, Knox was not to be checked or controlled by others, or perhaps by himself. He turns again and again to the wickedness of

[1] Bannatyne's Memorials, 97.

the queen, as if revelling in his own wonderful gifts of denunciatory eloquence. His rhetoric, as he sweeps over the political and social condition of the country, is too fierce to be distinct. Yet it is interesting to have from such a source the following, in which two points are brought up—his estimate of his proper duty towards the Government created by the recent revolution, and his view of the limits of his right to direct mankind in the name of the Deity, a view evidently uttered in answer to some taunts about his assuming the sanctity and prerogatives of the prophets of the Bible. The opening of the passage requires that we remember his argument against the right of the female sex to govern, in his 'Blast against the monstrous Regiment of Women': "What title she has or ever had to this realm, and to the authority thereof, I list not to enter in contention. How she was dejected from it let the Estates answer for; me they cannot accuse unless they lie, for hitherto I have lived as a subject and obeyed as a subject to all lawful ordinance of God within this realm. Yet rests one thing is most bitter to me and most fearful, if my accusators were able to prove their accusation—to wit, that I proudly and arrogantly enter in God's secret counsel as that I were called thereto. God be merciful to my accusators of their rash and ungodly judgment. If they understood how fearful my conscience is, and ever has been, to exceed the bounds of my vocation, they would not so boldly have accused me. I am not ignorant that the secrets of God appertain to Him alone; but things revealed in His law appertain to us and to our children for ever. What I have spoken against the adultery, against the murther, against the pride of that wicked

woman, I spake not as one that entered in God's secret counsel; but being one—of God's great mercy—called to preach according to His blessed will, revealed in His most Holy Word, have ofter than once pronounced the threatenings of His law against such as have been of counsel, of knowledge, of assistance or consent, of that innocent blood should be shed."

This is no doubt vehemently spoken, but in principle it comes to nothing more than an expression of his duty to apply to the conduct of those around him the examples and the precepts of the Bible. But presently, stirred up by the recollection that his own brethren of the clergy had blamed him as committing their Church to extreme views, he spoke in a fashion which might furnish an excuse to those who accused him of claiming a portion with the Scriptural prophets: "Where I am accused of expounding evil and profane things with the Word of God, I divide the Kirk in contrarious factions, I make the religion of Jesus Christ to be evil spoken of, and the whole ministry to be hated and abhorred,—I answer, that when they shall teach me, by God's plain written Word, that the reproof of vice is a evil and profane thing, and that it is a thing that appertaineth not to the ministry, I shall do as God's Word commands me. But unto that time, which will not be till the morn after doomsday—and not then—I may hold that sentence and power pronounced and given be God to his prophets—be Jeremiah and Ezekiel—to stand for a perpetual law and rule to all true ministers, which, with God's assistance, I propose to follow to my life's end." Ere he had done with his enemies he favoured them with a brief but emphatic estimate of himself. "What I

have been," he said, "to my country, albeit this unthankful age will not know, yet the ages to come will be compelled to bear witness to the truth."[1]

In comparing this with Knox's earlier utterances, we miss the old drollery and grotesque ridicule which, like the flavour of acrid fruit, gave a relish to the bitterness, or at least modified its asperity. Here was the old rancour and arrogance without the old liveliness. Indeed on this occasion the mantle of Knox seemed to have fallen for the moment on other shoulders. Alexander Gordon, the Protestant Bishop of Galloway, who had from time to time made eccentric but unfruitful attempts at popularity, achieved a signal success in Knox's own style. He prayed for the queen on account of her exceeding wickedness: "All sinners ought to be prayed for. If we should not pray for sinners, for whom should we pray, seeing that God came not to call the righteous but sinners to repentance? Saint David was a sinner, and so was she; Saint David was an adulterer, and so was she; Saint David committed murder (in slaying Uriah for his wife), and so did she. But what is this to the matter?—the more wicked that she be, her subjects should pray for her to bring her to the spirit of repentance."[2]

Such matter as this, delivered to a crowded audience, might remind them of the spirit in which Knox, some seven years past, had vindicated his 'Blast against the Regiment of Women' to Queen Elizabeth. Even in this controversy he had the opportunity of going over that ground again. He was twitted with praying for Elizabeth, a woman, and so one who, accord-

[1] Bannatyne's Memorials, 172. [2] Ibid., 99.

ing to his doctrine, had no right to reign. But this only rankled in a sore, and augmented his wrath. He was one of those whose combative passions grow hotter as the intellectual qualities which moderate and direct them decay. In his policy and his precepts he had shown little of the wit and worldly sagacity that had of old been the effective ministers of his fiery zeal. In the one place where he could neither be controlled nor contradicted—in the pulpit—he was still supreme and terrible. Many have read that exquisite little sketch by James Melville of the old decrepit man, in his dress of marten fur, creeping, with the aid of his zealous secretary, along the street, and helped into the pulpit, "where he behovet to lean at his first entry; but ere he had done with his sermon he was so active and vigorous that he was like to ding the pulpit in blads and fly out of it." The faithful young disciple who saw this had his pen and his tablet to take notes, but to no purpose when the passion grew on the preacher: "In the opening up of his text he was moderate; but when he entered to application he made me so grew and tremble that I could not hold a pen to write."[1]

But with this one only of his warlike resources remaining, Knox was not the strong man he had been. For some years he had been losing his old power; and to one of his aspiring and domineering temper the change, if he saw it, would be something humiliating. It was not as in the struggle for opinion twenty years earlier, when, fresh from the teaching of the French Huguenots, he came as their representative and the lieutenant of their great chief Calvin. The

[1] Diary, 33.

absolute logic of that school had to be accepted and used as a force for fighting the common enemy. There was no opportunity for compromising, no room for a middle course — whoever was not with him was against him. But the cause of the Reformation was now transferred from the zealous spiritual teacher to the arm of the flesh. It was King's party against Queen's party. And for the shape to be taken by the Reformed Church a new generation of clergy had come forward, who had their own opinions and their own self-interests. Knox was egotistic and autocratic as ever, coming forth as the avowed master and representative of the Kirk both as against Romanism and the Lutheran Church of England. But his health was broken, and at sixty-five he was coming to the close of his career. His younger comrades hardly liked that one who was so little able to fight for them should commit them to extreme views, hence the indifference against which he and his one or two zealous followers chafed.

How far Knox would be supported by his friends and his party had become a matter of moment, for a time of sore trial seemed to have come to him. The deportment of Grange was that of one so deeply enraged by the late dispute that the people said he would put Knox to death. So far was this rumour believed that several gentlemen of the south-western portion of Scotland sent Grange a paper of remonstrance against the step they heard he was to take. They are willing, they say, to hold the accusation as false, and excuse themselves for protesting, because "the great care we have of the personage of that man whom our God has made both the first planter and

also the chief waterer of the Kirk amongst us moves us to write these few lines unto you, protesting that the death and life of that our brother is to us so precious and dear as is our own lives and deaths."[1]

It was a terrible accusation. Such a deed would not have had the poor palliation of long-nourished hatred, political and religious, like the death of Hamilton or even of Murray. He whom the flower of chivalry was to slay was not only the old familiar friend who loved him, but one whom the political conditions of the time had put under his special protection. The castle was the stronghold of the city, and it was under that guardian of the Reformation and the new Government that Knox was safe to act as the chief minister to the citizens. Would the character for chivalrous faith which Grange holds in many eyes have covered this also as it covered the rest?

Let us believe that the rumour was unfounded, and arose from the many anomalies in the acts of a man whose interest it was to convert all who would not follow him through his devious course into enemies. Knox had other causes for fear, as the most conspicuous man of his party, and the only conspicuous man who was not surrounded by soldiers as a military leader. It was the critical time just after the capture of Dumbarton and the death of Hamilton when projects of retaliation were nourished. Knox's friends urged him to seek safety out of the streets of Edinburgh. They offered to form a guard for his protection. Kirkcaldy forbade this. It was according to military etiquette that the commander of a fortress should suppress any hostile or independent armed

[1] Bannatyne's Memorials, 81.

assembly under his cannon, but he offered to send a guard to conduct the preacher to and from his church. He further desired some engagement from his new allies of the Hamiltons that they would keep Knox scathless; but they "answered that they could not promise upon their honours, because there was many rascals and others amongst them that loved him not that might do him harm without their knowledge."[1] It is satisfactory to find enough in all these conditions to justify his retreat, without believing that his old friend and ally thirsted for his blood.

Before his departure, Knox, with a few brethren of his party, held a solemn conference in the castle with Grange and Lethington. How it came about, and what hopes it was expected to fulfil, we have no means of knowing, since, although there exists a picturesque account of the meeting, evidently by Knox himself, it is given without any preparatory explanation or announcement. It was conducted in solemn state as a great diplomatic conference. It thus begins:—

"At our entry in the castle we passed to the great hall on the south side, where soon after Sir James Balfour came to us, and incontinent thereafter the lord duke, and last the captain of the castle, who desired my lord duke and us also to enter within the chamber within the said hall, where the lord secretary was sitting before his bed on ane chair." From the tenor of the conference, it seems to have been intended that Knox should be exempt from the burden and responsibility of speaking for his party, whether on account of his infirmities or any other cause. If it

[1] Bannatyne's Memorials, 111.

was so, however, his old impetuosity drove him to break through the arrangement, and the discussion ended in a contest of wits between Lethington and him in the old way. There is something deeply interesting in the glimpse afforded to us of the scene in which these two men stand face to face for the last time. On former occasions, if there was a little dialectic skirmishing between them, yet they were in substance fighting together through common dangers for an honest cause. To both the danger had deepened; but it was not the danger of a common fate. To the one it was the question whether the cause he had in constancy maintained was strong enough to protect him; to the other it was the fear that in his desertion he had made a grand mistake, and all his subtle devices had gone to the creation of an engine destined to crush him. The two might almost be said to be placed in the balance, where the safety of the one was the destruction of the other. Both had given the days of their vigorous life to that common cause. Now both were, so far as the body went, decrepit, exhausted men, lingering on the edge of the grave. Knox had but a year before been prostrated by a fit of apoplexy, and the other was stricken with paralysis so deplorably, that even if we make large deductions from contemporary accounts of his state, his retention of his vivacious wit in so frail a tenement of clay must be ranked among marvels in physiology.[1] Winram, the Super-

[1] Knox's secretary says: "On Tuesday the 10th of April the head of wit, the secretary, landed in the night at Leith, where he remained till the morning, and was borne up with six workmen with sting and ling, and Mr Robert Maitland hauling up his head; and when they had put him in at the castle gate, ilk ane of the workmen got three shillings, which they receivit grudgingly, hoping to have gotten more for their

intendent of Fife, opened the conference by stating how his brethren, "perceiving the intestine troubles in the commonwealth, thought it became them of their duty to offer their labours and travails, to the end that if it should please God that thereby the same might be stanched, for the which we are come here to offer our travails and labours as said is." Ere yet there was any answer to this, Knox thought it necessary to break in: "After this proposition silence was kept ane certain space, while I continued the purpose again in this manner: 'My lord, I think our commission extends this far, that seeing your lordships are willing we should travail, as ye have declared by your writing to our brother here, Mr Craig, and we are also very willing to bestow our labours; then it rests to know and hear of your lordships what heads or articles ye will offer unto us as a ground whereupon we may travail.'" To this answered the lord secretary: "Mr John, ye are overwise. We will make no offers to them that are in the Canongate, for the principals of the nobility of Scotland are here, to whom they that are in the Canongate are far inferiors in that rank; therefore to them we mind not to make offers, for it becomes them rather to make offers to them that are here." The end was, that if the king's party should repent of their rebellion, and come back to their duty, the castle party would intercede for them, and endeavour

labours."—Bannatyne's Memorials, 110. There was satisfaction in taking a large account of an enemy's calamity, impelled at that time by an under-current of unavowed belief that it was a blow dealt in punishment for the sufferer's wickedness. To have to tell such a thing may have exercised some soothing influence upon a certain irritability in the annalist's mind about the machinations of Lethington, visible in such interjections as, "God confound his politic brain!" and the like.

to obtain their exemption from the pains and penalties incurred by their defection. The narrative continues: "Then said I, 'So, my lords, it appears to me we have the less ado, seeing no ground is offered to us whereon we may travail.'" On this Craig, who seems to have thought it necessary to come back to the business of their mission, said: "But it appears to me that we have somewhat farther to say, that seeing there is ane lawful authority established in the persons of the king and regent throughout this realm, which ought to be obeyed by all the subjects thereof; and therefore our duty is, as commissioners and members of the Kirk, to admonish every one of your lordships to obey the same." This brought the discussion to a point, and perhaps it was the point where Lethington wanted to meet the other side without more ado. At all events it brought out his own policy, and compromised to it his comrade Grange. The secret was now to be told why they had to change sides, yet were to call themselves honest. Perhaps it was expected that the explanation, given, as it was, in solemn conclave with the head and the subordinate leaders of the Church to which both parties belonged, would be discussed, if not respectfully accepted, all over Scotland. As it happens, the announcement lay long in unnoticed manuscripts, and only came to light in print at a time when it required some critical inquiry to find out the parties concerned in the controversy.

What Lethington had to explain to the satisfaction of his audience was, why he, who had become Secretary of State under the Government of the infant king, should hold his office for Queen Mary; and why Grange, who had got the command of the Castle of

Edinburgh, also on the king's side, should employ his command on the other. Grange had been put in command of the castle to supersede the dubious Balfour. By all a soldier's loyalty he was bound to the cause of the new order of government under which he had accepted his charge. But there had even been an attempt to bind him by a civil obligation as well as a soldier's faith. To the burgesses of Edinburgh the castle was a formidable neighbour, and in these revolutionary times they were naturally anxious that there should be no mistake on the point how they stood with that neighbour. To accomplish political objects through the influence of personal obligations, under the forms of law for the protection of private rights, is a peculiarity of Scotland which we have met and are likely to meet. Perhaps it never was carried so far or achieved so little as when it bound Grange by a personal bond to co-operate as governor of the castle with the corporation of Edinburgh in support of the new rule. By this document it was "appointed, agreed, and finally contracted and bounden up betwixt the Right Honourable Sir William Kirkcaldy of Grange, knight, Captain of the Castle of Edinburgh, for himself, kin, friends, servants, assisters, and partakers, on that one part, and the Right Honourable Simon Preston of Craigmillar, of that ilk, knight, Provost of the burgh of Edinburgh, for himself, the bailies, council, and community, and whole inhabitants of the said burgh, on the other part, in manner, form, and effect as after follows." And what follows is a set of conditions, in which some acute conveyancer, enumerating every form of treachery which his fertile imagination can suggest, holds the parties bound to

reject every one of them, "according to their bounden duty and right of fidelity given to their most undoubted and native sovereign for maintenance of him and his authority royal." [1]

Such being the conditions under which power had been given to the coadjutors, it fell to Lethington to explain the use to which that power had been put. Perhaps he never in all his strange career showed such defiant cleverness. The key-note of his explanations was, that there had been a mere scramble for safety in a storm. It was necessary to get rid of Bothwell; since the queen *would* protect him, it was necessary to tie her hands during the riddance. The infant was set up as king that there might be a rallying-point; but no man in his senses supposed that this would or could be a permanent arrangement. He felt that if this bold explanation were a success, then would the finger of scorn be turned from the renegades, and directed towards those who were such fools as to believe them serious when they adopted the course they had abandoned.

To lead to this conclusion, he drew an effective picture of the scene on Carberry Hill and the subsequent infatuation of the queen, as a sea of troubles from which statesmen were justified in seizing the readiest mode of escape, continuing thus: "So that then, we finding no other way to preserve us from inconvenients, we devised to make the cloak of some new authority—even as if ye were passing over to Kinghorn, and the boat took fire, ye would leap in the sea to flee the fire, and finding yourself liable to drown, ye would press again to the boat. Even so the

[1] Bannatyne's Memorials, 163 *et seq.*

setting up of the king's authority was but ane fetch or shift to save us from great inconvenients; not that ever we meant that the same should stand or continue, as ever thereafter I schaw to my lord regent, willing him to compose and agree the matter."

At this point he tried a touch of that bold hypocrisy with which of old he used to assuage the growing ire of Knox: "And for my own part plainly I confess that I did very evil and ungodly in the upsetting [setting up] of the king's authority, for he can never be justly king as long as his mother lives; and that which I speak the whole noblemen within the town and others here present, I am assured, will affirm the same." Here the duke, Balfour, and Grange gave a nod of acquiescence. A more full acknowledgment was demanded from Balfour, who said he was privy to the whole affair, and knew the grounds of the proceedings to have been precisely as Lethington described them. Proceeding in the narrator's own words:—

"Then said I to the secretary: 'My lord, I cannot tell what fetches or shifts your lordship has used in these proceedings; but hereunto let your own conscience accuse yourself before your God, *conscientiam vestram oneramus.* But ane thing well I wot, honest men of simple conscience and upright dealing meant nothing of these your shifts and fetches, but proceeded upon ane honest and constant ground, having the glory of God before their eyes, and the punishment of horrible crimes.' 'Neither,' said I, 'my lord, that godly men of upright dealing has used such shifts or fetches as these of yours are—namely, in such notable and weighty matters; but ane thing, my lord, I perceive, that methinks God has beguiled you, that

howbeit He has used you and your shifts as an instrument to set up the king's authority, yet it appears not that He will set it down again at your pleasure.' Then said the secretary, 'Know ye that? are ye of God's counsel? *Quis fuit consiliarius ejus?* Ye shall see the contrary within few days, and then we will see what obedience ye will give.' Then said I, 'Unto that time, my lord, our argument is good, and ye and others ought to give the king obedience.'" Here the Superintendent of Fife put in the usual form the precept to obey the powers that be. The answer was, that the Romish hierarchy was a constituted power, yet those he addressed had been somewhat zealous in resisting and destroying it. Here Knox broke in. A wicked religion "tends to the dishonour of the name of God, which in no ways ought to be suffered—yea, not ane hour. But otherwise it is in policy, and chiefly in the established authority of kings and princes; for howsoever the authority be ance established — I presume by violence and tyranny."

"Here the secretary interrupted me and said, 'Mr John, I am glad to hear that confession out of your mouth.' 'My lord,' said I, 'giving but not granting [admitting] that so it were, likewise I understand ane lawful ground in the king's authority, and the authority ance established ought to be obeyed.'" Then follow the often-cited precepts in Scripture to obey powers however constituted, with the inference, "And if argument be good that we shall obey the established authority, howbeit it entered in by violence and tyranny, then meikle rather ought we to obey the authority established, the ground whereof is lawful, reasonable, and godly; and if we should enter on dis-

course, I cannot tell how many authorities are established upon ane lawful ground."

Balfour tried to push him hard on the question how he knew that the king's Government was established. He referred to its adoption by the Estates and acceptance by the people; "'but yet,' said he, 'how know ye that it is established truly?' 'My lord,' said I, 'I can well answer to that argument, for I was present in Parliament, when I both heard and saw the same concluded. If it be true that you are there standing, or that your little dog is lying upon the secretary's lap'—for ane little messan was lying upon his knees—'so it is true that I have said.'"

This gave an opportunity for occupying the broad position that the Parliament of 1567 was unlawful. Lethington, supporting Balfour, declared; "That Parliament is null for many causes, and cannot be judged ane lawful Parliament." "Then said I, 'My lord, if any Parliament was holden in Scotland these seven hundred years, I doubt not but that was ane lawful Parliament both in substance and ceremonies; and what nullity ye can allege, I doubt not but the same may be alleged against any Parliament in Scotland these seven hundred years ago. Men may know what the nullity of this Parliament tends to, seeing our religion was herein established.'"

Lethington then turned very cleverly to the sore subject of the ecclesiastical endowments. The lay friends of the clergy were but employing them for their own purposes, that they might appropriate the patrimony of the Kirk. Here Craig supported his chief with much spirit. If there were evil designs in them, there were worse in those he now addressed.

When desired to be more explicit, he said, "My lord, it is plainly spoken that those that are here travails only in their proceedings to cloak cruel murderers, and that the consciences of some of you are so pricked with the same that ye will never suffer the nobility to agree." There was much irritating discussion on matters less broad and emphatic; and at one point we are told, "Here we began to mow, and, as it were, every one to laugh upon ane other, and so raise." As they were going, however, Lethington took "Mr John" aside for a few parting words on his support of Lennox, who was virtually an Englishman, though born in Scotland. The answer was, that there had been a regent of Scotland—Albany—who was born and bred a Frenchman. Lethington's reception of this was a curious one: "'Mr John,' says he, 'there is a difference betwixt the twa.' 'And what is that,' said I, 'my lord?' 'We are joined,' said he, 'in league and amity with France, but England is our auld enemies.' 'My lord,' said I, 'that argument now appears nothing, for we have peace and amity with England presently as we have with France;' and thus we took our leave and came away."[1]

[1] The remarkable document whence this account is taken will be found in Bannatyne's Memorials (8vo edition, 156-68; 4to edition, 125-32). In making use of the narrative, I dealt with Knox as the avowed reporter and hero of the scene, until I found, a little to my surprise, that no other writer on this period had so placed him. Sir John Dalzell, in his edition of Bannatyne's Memorials, merely says, "Some singular circumstances appear in this conversation—it is not evident who is the reporter of it" (p. 168). Dr Cook, in his 'History of the Church of Scotland' (i. 134), says, "It does not clearly appear from Bannatyne's Journal who is the reporter of the conference. I thought it was the Superintendent of Fife, but there is one expression which seems to imply that it was a different person. Whoever he was, he was the chief speaker. Wodrow, in his Life of Craig (MS.), supposes that Craig was the reporter." In the

We have seen that the king's party was baffled in an attempt to hold a Parliament in Edinburgh, and the triumph was made more emphatic by the solemn opening of a Parliament in name of the queen. It was but scantily attended. Knox's secretary tells us how "the lords came down upon their foot from

face of such remarks, the position I had assigned to Knox could not be taken for granted; but farther consideration placed this conclusion, as I think, beyond all doubt. In the first place, the piece reads like a resumption of the dialogues between the secretary and "Mr Johne" reported in Knox's History. It may be questioned if any other than Knox could, in the presence he was in, have made those sharp repartees which remind us of his early vigour. It was an affair in which, from its tenor, only heads of parties were concerned. The very egotism and indubitable assumption of the principal place is Knox all through. It would not be worth anything by itself; but it may be noticed, as closely fitting into the reference to the Parliament of 1567, that Knox had much concern with that convention of the Estates. We have seen that he entered a protest there on behalf of the Church; and a minute of attendances, though mutilated, notes the presence of John Knox (Scots Acts, iii. 35). Let us now look at the conditions under which the document has reached us. It was natural that one might be diverted from the supposition of Knox's concern with it, by finding it coming in under the head, "A memorial of sic things as were done in this toun of Edinburgh sen the departure of John Knox, minister, out of the same, sore against his will." But the document has been tumbled into its place accidentally, and in fact it stands where it ought not to be, and where it interrupts the sequence of the narrative. It occurs, itself undated, in the diary of events between the 17th and the 18th of May. The 17th was a day of bustle and continued fighting, the king's party having nearly taken the town. The business of the day is accounted for to the last, and ends, "This night Captain Moffat, who was hurt before, was buried" (p. 156). At the end of the document the 18th begins with its own events. The narrative would have a legitimate place in the earlier part of the work, among several others where John Knox narrates his own sayings and doings. In fact the earlier part of the work consists of fragments of the continuation of his History, and hence the interest and value of the book. From the documents appended to the edition of it printed for the Bannatyne Club, we know that Richard Bannatyne applied to the General Assembly for facilities to make use of the papers left by Knox, which he thus describes, after mentioning that the History was completed by him down to the year 1564: "So that of things done sensyne, nothing by him is put in that form and order as he hath done the for-

the castle to the Tolbooth — to wit, the duke, Lords Huntly, Home, Maxwell, the Bishop of Athens [otherwise the Bishop of Galloway], Lord Claud, Coldingham, and the Abbot of Kilwinning, with divers others, lairds, as Phairniehurst."[1] Thus the assemblage was

mer: yet not the less there are certain scrolls, papers, and minutes of things left to me by him to use at my pleasure, whereof a part were written and subscribed with his own hand, and another by mine at his command; which, if they were collected and gathered together, would make a sufficient declaration of the principal things that have occurred since the ending of his former History at the year foresaid, and so should serve as stuff and matter to any of understanding and ability in that kind of exercise that would apply themselves to make a history, even unto the day of his death." We know that the facilities which Bannatyne desired for using these materials were conceded (prefatory notice to Ban. edit. of Memorials, xix, xx). We know nothing further, however, except what the internal evidence of the Journal supplies. On this point the editor of the Journal, the late Mr Pitcairn, says that "he is now decidedly of opinion that the present work forms an essential and perhaps the most prominent part of those historical materials left by John Knox for publication as a continuation of his 'History of the Church of Scotland,' and of the reformation of religion in this country. There are frequent instances in the course of Bannatyne's work which show that these 'Memorials' were originally compiled by him almost in the very shape in which they now appear—namely, as a diary or journal of events and occurrences. The editor further observes, that if it be thought too much to concede that the whole, or at least a considerable portion, of this History was virtually composed or dictated by John Knox to his secretary, or that it was revised throughout by him, it seems that numerous entries were made by Knox in Bannatyne's first draught of his Journal, and that many of these insertions were subscribed by Knox in his usual manner, as if in attestation of the various facts and circumstances which he noted at the time."—Ibid., xvii. In searching for the author elsewhere, we are restricted to those eminent Scots preachers of the day who bore the name of John. The first claim would be on the part of Craig, Knox's coadjutor, and his immediate second in power and popularity; but to him a distinct place is assigned in the conference. Next comes John Winram, Superintendent of Fife; but he, too, has his place. We might next look to John Row; but he is cited in the controversy along with John Willock in a manner which shows that he cannot have been present. There remain undisposed of John Erskine of Dun and John Durie, who afterwards became famous for his opposition to the Court, but had scarcely at this time achieved renown.

[1] Bannatyne's Memorials, 222.

held in the Tolbooth, the usual, and by usage the legitimate, place for the assembling of the Scots Estates. The meeting had an additional sanction in possessing the "honours of Scotland"—the crown, the mace, and sword—all preserved for security, where they still lie, in the strongest fortress of the kingdom at that time, and therefore in the hands of its commander. A letter or message was read from Queen Mary, stating that her abdication had been obtained by force. The business professed to be transacted at Hamilton in 1569 was here repeated in more solemn and formal shape. The old Government was revived, and there was a sweeping forfeiture of its enemies. Had the queen's party triumphed, the Acts of that Parliament would have received the sanction of royalty, and found their way into the Scottish statute-book; but as affairs went, the meeting was only a casual incident in the general confusion. The date of the opening of this queen's Parliament, the 28th of August, is also the date of an appeal by Lethington to France for aid. It was made in a letter to Beaton, the titular Archbishop of Glasgow, who acted as Queen Mary's ambassador in Paris. Here we find the subtle adept in the received mysteries of statesmanship adjusting and decorating his appeal to suit it to the tendencies of the fellow-labourer who held the same cause in simple fidelity and honest zeal. The text of his pleading is: "I pray you, remonstre to the King of France the necessity in such good manner as you think maist convenient and will best move him to make substantial support both in money, and farther as the cause requires; and assure his majesty, ance dipping earnestly in the cause, it will be easy to reduce this realm to the queen's per-

fect obedience." That this is the only chance for the cause—that without immediate aid from France he and his party must inevitably be crushed—is told with a cynical distinctness that has in it somewhat of the heroic:[1]

"It is convenient you know the state of Scotland truly as it is, whereof you mon make the best, by uttering or disguising so muckle as may serve the turn, and most move the King of France to make support. Whatsomever opinion we have had that a great number of Scotland favoured the queen and misliked of her enemies, yet by experience we find but few that take the matter to heart. Many we found that, in private conference with their friends, would lament her cause, and by words profess that they wish well to her majesty, and seem to mislike the present Government; but now we have put the matter to that point that deed must try who will set forward her cause and who not, we find very few who put their hands to the plough. Few will mix in the cause, or dip earnestly either to defend her friends or invade her enemies. You know by the letters and memoirs sent to you in April bygone a year in what terms we then stood, and what number of noblemen made some countenance and demonstration that they would then set forth the queen's cause, which company was dispersed to sundry places by the incoming of the Englishmen in May bygone a year; since which time, for no labours could be made, that number could never to this hour be assembled again in a place. From the

[1] Letters to James Beaton, Archbishop of Glasgow, in 'Miscellaneous Papers, principally illustrative of Events in the Reigns of Queen Mary and James VI.,' Maitland Club, p. 59 *et seq.*

first day of September last was till a great part of winter was past, the matter was driven under esperance of the treaty which the Queen of England had in hand, and men had some hope by her means it would be brought to an accord. During that time many gave good words, but no number of noblemen could be moved to assemble in a place. Excuses were aye founded upon the incommodity or unsurety of the roum to meet in; and the place that was thought by ane end of them, was aye found incommodious for the rest."

Since the month of May, Kirkcaldy had held entire possession of the town, and fortified it as he best could, mounting cannon on the tower of the church of St Giles and in the church itself, which was pierced with embrasures. It was necessary that he should have the municipality at his command. By degrees the municipal and the feudal communities had been mixing with each other. A wealthy merchant would set his foot upon the land and found a territorial house. On the other hand, the burgesses found it expedient to have for their provost or chief magistrate some neighbouring baron of rank or influence, who, profiting in some measure by the position in which they placed him, made common cause with the municipality. Preston of Craigmillar was then provost; but Grange drove him furth, and set in the civic chair, as his own deputy, his son-in-law, Kerr of Ferniehurst, a notorious commander of Border reivers, with as little of the municipal or corporate in his character as could well be. Those inhabitants of Edinburgh who were not prepared to throw their lot into the queen's party were gradually leaving the city. On the departure

of some two hundred substantial burgesses, who took up their position with the king's party in Leith, a proclamation was issued confiscating their property if they did not return within twenty-four hours.[1] Both the castle and the town of Edinburgh were thus isolated under the command of Grange. The king's party held their camp at Leith. They had the command of the suburb of Canongate, lying between the eastern wall and Holyrood; and they were sometimes called the lords in Leith, at others the lords in the Canongate. They held the approaches to the broken ground round Edinburgh, and were enabled sometimes to trouble their enemies by cannon mounted on the Calton Hill.

In the war now inevitable the first actual contest came off on the 20th of May. Morton had sent from Dalkeith a party to issue a proclamation in the king's name. On their return, as they passed the east end of the Burgh-muir, in the hollow below the ascent to Liberton, they met a party of some seven hundred sent by the garrison to intercept them. There was a fight, in which the castle party were driven back. It was a small affair in itself, but held rank as the first brush in the bitter war round Edinburgh. From the place where it befell it took the ignoble title of the battle of Lousie Law.[2]

At the beginning of October 1571 the regent's party began to lay out a fortress or fortified camp at Leith, and then it is that the siege of Edinburgh began. From that time to the 30th of July 1572, Scotland was the stage of one of the bitterest civil wars on record. Many as had been the occasions and varied

[1] Diurnal of Occurrents, 227. [2] Herries's Memoirs, 135.

the forms in which the land had been visited by strife and bloodshed, the curse on this occasion took a shape entirely new. The earlier wars of Scotland had lain between natural enemies. We have seen how the Romans, in their mission towards the conquest of the world, had to fight their way in Scotland. There was much bloody work of which we have but faint and indistinct record, as the several tribes settled themselves down after the fall of the empire. The pressure inward of the Norse invasion was attended by continual fighting. Then came the three-hundred-year war of independence. It was varied by occasional turbulence and outbreak, as in the affair in which James III. lost his life; but these were of the nature of casualties soon over. Now for the first time in their long history were the people of Scotland arrayed under separate banners and a separate allegiance, in that most dismal of quarrels, a real civil war.

The king's party kept up communication with the English Government. Before coming to close issue they had a visit from Drury, making vain efforts at conciliation. They were, however, as yet unaided from England, and had to fight their own battle. The queen's party received aid from France; but it was small, for the French Government of the day had serious business at home. When this aid from France, however, was added to the defection of Grange, the two sufficed to render a weak cause strong enough to maintain a protracted and painful vitality. The queen's party were able to keep a large portion of the country in turbulence; but it was only within the walls of Edinburgh that the queen reigned. In Fifeshire, where Grange had his territorial influence, the Govern-

ment was so strong that Knox sought and found a safe retreat in St Andrews. The bulk of the eastern Lowlands of Scotland, with the exception of Edinburgh, was under the king's rule as far as Aberdeen. In the west the Hamiltons divided the influence with the Government, and on the Borders the Maxwells and Kerrs did their best to turn the mischief and plundering to the prejudice of king's rather than of queen's men. In the north the influence of the Huntly family was almost sufficient to hold rule in the name of the queen. The clergy there appealed to the sympathy of their brethren, telling how they were required to obey orders from the keepers of Edinburgh Castle, and desiring to be informed how they should act in the hard alternative: "Ane of two things are offered unto us—viz., death if we be convict of treason, or else obedience to the queen's Parliament and praying for her."[1]

The chief actions of the war were in this corner of it, and lay between the Gordons, under Huntly's brother, the Laird of Auchendoun, and their neighbours and natural enemies the Forbeses. In one battle, on the 9th of October, the Forbeses were defeated, leaving one hundred and twenty dead. Two hundred hagbutiers were sent from Edinburgh to help the Master of Forbes, who, thus strengthened, thought to attack the Gordons in their stronghold of Aberdeen. He crossed the Dee; but Auchendoun, who was prepared, met him at the Craibstone, "where," says a chronicler of the day, "it was fochten furiously on baith sides for the space of an hour, till at last the victory inclined to the lieutenant, and the Forbeses put to such a flight

[1] Bannatyne's Memorials, 215.

that the pursuit endured four miles of length. The Master of Forbes was taken prisoner, with two hundred of his horsemen." On his side the deaths were three hundred, and on the other thirty.[1] The chronicler continues to tell of Auchendoun, that "what glory and renown he obtained by these two victories was all casten down by the infamy of his next attempt; for immediately after this last conflict he directed his soldiers to the Castle of Towie, desiring the house to be rendered to him in the queen's name, whilk was obstinately refused by the lady, and she burst forth with certain injurious words. And the soldiers being impatient, by command of their leader, Captain Ker, fire was put to the house, wherein she and the number of twenty-seven persons were cruelly brunt to the death."

The scene supposed to have passed within that burning house—a scene in which the heroic mother is tortured between the duty of feudal hatred and the appeals of her smothering children—is one of the finest among the touching and beautiful pictures in the popular ballads of the Scottish people.[2]

[1] Historie of King James the Sext, 96; Bannatyne's Memorials, 212. The "Craib-stane" is still shown beside the old road from Aberdeen to the Bridge of Dee.

[2] "'Gie up your house, ye fair ladie,
Gie up your house to me;
Or I will burn yoursell therein,
But and your babies three.'

'I winna gie up, ye false Gordon,
To nae traitor as thee;
Though you should burn myself therein,
But and my babies three.

'But reach my pistol, Glaud, my man,
And charge ye weel my gun;
For if I pierce not that bloody butcher,
My babes will be undone.'

This episode in the north is sadly typical of the whole tenor of that wretched war. It was a conflict all worked out in details so small as to make the

She stood upon the castle wa',
And let two bullets flee;
She missed that bloody butcher's heart,
And only grazed his knee.

. . . . . .

Oh then bespoke her youngest son,
Sat on the nurse's knee:
'Oh mother dear, gie ower your house,
For the reek o't smothers me.'

'I would gie a' my goud, my bairn,
Sae would I gie my fee,
For ae blast o' the westlan win',
To blaw the reek frae thee.

'But I winna gie up my bonny house
To nae sic traitor as he;
Come weel, come wae, my jewels fair,
Ye maun take share wi' me.'

Oh then bespoke her daughter dear—
She was baith jimp and sma'—
'Oh row me in a pair o' sheets,
And tow me ower the wa'.'

They rowed her in a pair o' sheets,
And towed her ower the wa';
But on the point of Edom's spear
She got a deadly fa'.

Oh bonny, bonny was her mouth,
And cherry were her cheeks;
And clear, clear was her yellow hair,
Whereon the red blood dreeps.

Then wi' his spear he turned her ower,
Oh gin her face was wan!
He said, 'Ye are the first that e'er
I wished alive again.'

He turned her ower and ower again,
O gin her skin was white!
'I might hae spared that bonny face,
To been some man's delight.'"

The ballad is not to be accepted as a precisely accurate history of the tragedy; but it is a fair specimen of the kind of legends bequeathed by the miserable struggle, to interest and excite the group gathered round the Scottish peasant's fireside.

affair of the Craibstone a conspicuous battle. As it was not adorned by great and gallant acts, so was it destitute of the casual forbearances and generosities exacted by the laws of war from national enemies. To each party the other was a pack of traitors and rebels to be extirpated by the readiest available means. Thus was the country thinned of its fighting men in inglorious detail. It was as when two combatants, having inflicted on each other many bleeding wounds, grow weaker and weaker, until neither has strength to release the other with a death-blow. It scarcely varied this dreary history of calamity, and passed almost unnoticed at the time, that in February 1572 Randolph and Drury paid a diplomatic visit to Grange and his companions in the castle, and made a vain effort to bring him to terms. Sir James Melville felt, as all Scotsmen who could keep free of the ferocious struggle must have felt, that it was an utter waste of warfare, pointing to no practical conclusion save the ruin of the country. He did something to appease the quarrel; and though we have only his own account of his intervention, we can believe enough of it to justify the opinion that no other man did so much for the promotion of peace. He was a man of a character and temper rare in that age—very pacific, yet no coward; a dealer with all parties, yet never, as it would seem, suspected of selling one party to another. His dealing towards Queen Mary was that of the zealous and dutiful servant who deeply laments the follies, and worse than follies, of his mistress, striving ever to put the best face on her wild career. He thought, and perhaps not unnaturally, that Cecil's Government fostered the quarrel in Scotland for selfish

political objects; and he describes the tenor of his own persuasions when he said that this was a policy "whilk my Lord of Mar's friends perceived, and himself at length; wherethrough he began to be caulder in the quarrel, and drew himself to Stirling, and advised with his friends what was meetest to be done, alleging that he could see nothing but the wreck of the country under pretext of king's and queen's faction or authority; and that neither king nor queen was in either of their minds, but only profit by their own partialities and ambitious greediness and vengeance — England kindling up both parties, and then laughing them all to scorn."[1]

This petulant remark, by one deeply vexed at heart, has been considered sufficient authority for the belief, that the Government of England had deliberately adopted the wily policy of inciting the two parties against each other with the ultimate object of rendering Scotland a weakened neighbour. But we need not search so deeply for the policy of Elizabeth's Government. It may suffice that it had not reached the conclusion of taking a step both costly and dangerous. England, as we shall presently see, was at that time hampered by friendly relations with France, which must be broken ere an army could be sent to suppress the queen's party. A man so wise as Cecil must have seen the mischief done by the last act of interference: it had consolidated the opposition to the regency, and was the excuse, if not the motive, for the defection of Grange and Lethington. The opportunity for England would be when she could strike one great blow, and then vanish from the scene, leaving a party

[1] Memoirs, 243.

predominant and strong enough to govern unassisted. Meanwhile the queen's was the weaker party, and therefore, as the natural condition of exhaustive war, it must die first. Hence it was propitious that there were two men of influence, who were so far also men of moderation, that, admitting this to be the situation, they desired that quarter should be given to and accepted by that party, and so much of the national life saved. These were Mar the regent and Melville.

The common ground on which they thought both parties could meet was, that fighting under existing conditions was a mere waste of the nation's blood, since the object of dispute—the queen—was kept out of the hands of both parties. Though her own friends should be victorious in the face of all the chances against them, yet would their victory be useless so long as Queen Elizabeth retained possession of their mistress. It was to Randolph that Melville attributed the treacherous stirring of the strife; and when Killigrew came to Scotland in his place, Melville said he found in him a friend of peaceful counsels. On the queen's side it was Grange who had peace or war in his hands. He would listen to no terms committing him to the abandonment of the cause of which he had made himself the special champion. Melville says he found him open to reason on the folly of fighting on, in the mean time, under conditions certain to render success itself barren, and that he was himself heartily backed by the Regent Mar in his pacific persuasions. Drury, on the part of England, and Le Croc, the ambassador from France, helped in the same direction; and at last, on the 1st of August 1572, a truce or "abstinence" for two months was adjusted. From

the benefit of the truce certain conspicuous men were excepted — the surviving remnant of those openly accused of the murder of Darnley, and those charged with the murder of Murray—Bothwell, a follower of his named Patrick Wilson, Ormiston of that ilk, Patrick Hepburn of Beanston, James Hamilton of Bothwellhaugh, and John Hamilton, his brother. A social feature of the age was reflected in a general exception in one group of "the whole thieves and broken men, inhabitants of the Borders and Hilands, disturbers of the public peace betwixt this realm and England, and oppressors of the peaceable subjects of this realm." Yet they were not to be responsible for acts of war done by them under the command of leaders in the conflict, but only for the mischiefs they had transacted on their own account. As some people had gained possession during the struggle of other men's lands, it was stipulated that during the truce they were to retain these possessions, and reap the fruits of them.[1] Before the next and concluding act of the war opens, it is proper to trace the threads of several events, some of them beginning at an earlier date than the truce, and all combining to influence the destinies of the two parties.

Soon after Knox left Edinburgh the churches were closed, and, as a contemporary says, the booming of the cannon superseded the sound of the bell calling men to prayer. So long as the churches remained open, Knox's pulpit was occupied by that Alexander Gordon, Bishop of Galloway, whose peculiar vindication of prayers for the queen has been already cited. Though acting as a minister of the new Church, he

[1] Bannatyne's Memorials, 241.

retained his bishopric, and he is even said to have handed it over to his son. He held at the same time the titular distinction of Archbishop of Athens, conferred on him, it must be presumed, before his conversion to the new Church; and he often appears with that title in the documents and chronicles of the period.[1] His position associates itself with some peculiarities of the condition and history of the Church at that period—peculiarities on which the clergy of that Church in later times have naturally been loath to enlarge.

As yet there was no Act of Parliament acknowledging a change in the polity or structure of the Church. Whatever the Book of Discipline professed to effect towards the establishment of a Presbyterian polity was ecclesiastical doctrine, not law. Not only did bishops still remain, but also the Dignitaries of the Regulars, such as Abbots and Priors. As a secular matter, and apart from the internal regulations of the fraternities, the only difference in their position since 1560 was, that vacancies came to be filled by Protestants, and sometimes by laymen. Murray, as we have seen, was Prior of St Andrews. On his death Queen Mary made an empty gift of the priory to Grange, on which Randolph wrote to him, saying: "Brother William, it was indeed most wonderful unto me when I heard that you should become a prior. That vocation agreeth not with anything that ever I knew in you, saving for your religious life led under the cardinal's hat when we were both students in Paris."[2]

When the archbishopric of St Andrews became

[1] See Keith's Catalogue, 166.

[2] Cited, P. F. Tytler.

vacant by the death of John Hamilton, an edict or rescript was sent to the dean and chapter of the diocese to choose a new archbishop; and Morton, who was present, guided the selection towards his own nominee, John Douglas. Knox was requested to assist at his inauguration, but refused to do so. The task devolved chiefly on his friend Winram, the Superintendent of Fife, who, for reasons not explained, performed the ceremony, although it superseded him in the chief ecclesiastical command of the district. Knox did not direct his denunciations against the principle of Prelacy, but against the parties to the transaction. He could not countenance the appropriation of the revenues of the see by Morton, whether he would have assented to their passing into the hands of one well chosen from the clergy or not. He objected to the man selected as too old and feeble for the heavy load to be borne by him. From some further transactions of the period we shall see that he was not at that time an opponent of the order of bishops.

In January 1572 there was a gathering of the clergy at Leith. It was called a Convention, and it was said not to be a formal General Assembly; but it is not easy to determine what conditions were absolutely necessary to the constitution of an Assembly in that early period of the new Church. A committee of their number met with a committee of the Privy Council, and arranged with them a Concordat as to the dealing with Church dignities. The largest questions were on this occasion adjusted with a speed and facility rare in ecclesiastical procedure; and, as it has been justly remarked, "it is impossible to believe that the Convention and Privy Council would have

worked with such perfect harmony unless the whole proceedings had been previously arranged."[1]

They prepared together certain adjustments, in which it is without equivocation set forth "that the names and titles of archbishops and bishops are not to be altered or innovate, nor yet the bounds of the dioceses confounded; but to stand and continue in time coming as they did before the reformation of religion—at least to the king's majesty's majority or consent of Parliament." Farther, "that there be a certain assembly or chapter of learned ministers annexed to every metropolitan or cathedral seat." It was provided that archbishops and bishops should have no further jurisdiction in spiritual matters than the superintendents had exercised, "until the same be agreed upon." It was farther decided "that all archbishops and bishops be subject to the Kirk and General Assembly thereof *in spiritualibus*, as they are to the king *in temporalibus*."[2]

A form for the appointment of prelates was adopted, exactly in the spirit of the much-ridiculed *congé d'élire* of the Church of England. The sovereign was to direct the chapter to make an election, "naming and recommending" to them the person on whom their choice is to fall, with the preamble that he is recommended because of "calling to our remembrance the virtue, learning, good conversation, and other godly qualities of our trusty and well-beloved B.C. preacher of the Word of God." The dignitaries of the regulars were also to be maintained although the whole monastic brotherhood had been dispersed, because the

[1] Cunningham's Church History, i. 425.
[2] Book of the Universal Kirk, i. 209.

holder of each dignity among the regulars "must supply the place of one of the ecclesiastical Estate in Parliament." [1] It was considered undesirable that the reformation in religion should interfere with the constitution of that great ruling power, the Estates of the realm. These doings of the Church were accompanied by instructions that the clergy should reside within their charges, and that those appointed to offices of dignity should be properly qualified. The qualification extended not only to the bishoprics, but to the abbacies and priories, for which it must have been difficult to find any qualifications in harmony alike with the original objects of these institutions and the new order in Church and State; but these instructions regarding qualification are of too general and unexact a character to have had much effect in practice.

When these arrangements came up for final consideration at an Assembly held at Perth in 1572, they were allowed to pass with a grumble. The Assembly "finally concluded for the time upon the said heads and articles," appending the following explanation: "In the whilks being considered and read, are found certain names, such as Archbishop, Dean, Archdean, Chancellor, Chapter; whilks names were found slanderous and offensive, to the ears of many of the brethren appearing to sound to Papistry. Therefore the hail Assembly in one voice, as well they that were in commission at Leith as others, solemnly protests that they intend not by using such names to ratify, consent, and agree to any kind of Papistry or superstition, and wishes rather the said names to be changed into others that are not slanderous or offensive. And in like manner

[1] Book of the Universal Kirk, i. 210.

protests that the said heads and articles agreed upon be only received as an interim until further and more perfect order be obtained at the hands of the king's majesty's regent and nobility; for the whilk they shall press as occasion shall serve." A few suggestions were dropped about a change of nomenclature to avoid the scandal of Popery, as that "the chapter be called the bishop's assembly," and the dean the moderator of that assembly.[1]

Before the sittings of the Assembly at Perth were ended, a letter from Knox was read to them. It was short, but sorrowful and apprehensive. "Albeit," it went, "I have tane my leave not only of you, dear brethren, but also of the world and all worldly affairs; yet remaining in the flesh, I could not nor cannot cease to admonish you of things which I know to be most prejudicial to the Kirk of Christ Jesus within this realm. Above all things, preserve the Kirk from the bondage of the universities. Persuade them to rule themselves peaceably, and order the schools in Christ; but subject never the pulpit to their judgment, neither yet exempt them from your jurisdiction." The universities will not be found among those established terrors of the Church of which it is the duty of the faithful watchman from time to time to warn his slumbering brethren. There were projects then for increasing the wealth, and consequently power, of these institutions; and Knox himself had lent these projects a hearty helping hand. If there was any ground for alarm about the universities becoming dangerously powerful, it must have been ephemeral. In truth, however, this protest touched a grievance personal to Knox himself, and vividly exemplifying a signal peculiarity in his char-

[1] Book of the Universal Kirk, i. 246.

acter. In fixing his quarrel on the University of St Andrews, he uttered a suspicion that the institution held too high a place in reference to the Church, and professed even to exercise some authority over Churchmen. "I protest," he said, "that neither the pulpit of St Andrews, neither yet of any congregation within the realm, be subject to the censure of the schools, university, or faculty within the same." Whatever he thought he saw of this character was much aggravated in his eyes, if it were not entirely suggested, by one of the professors failing to attend his preaching. The truant was called on to give a reason "why he came not to the said Mr Knox's sermon, as he was appointed by the superintendent and by the bishop, Mr John Douglas." This was ever a serious offence in Knox's eyes, and we have already seen how he censured Queen Mary for her neglect of this duty. It could be no vindication to the professor, whose name was Archibald Hamilton, that his reason for absenting himself was that Knox "affirmed in his teaching that Hamiltons were murtherers." He was first brought before the archbishop and other authorities, and afterwards had to answer "in the inner chamber of Mr Knox, in the new lodging of the abbey;" and "by him being charged for not coming to his preaching," he spoke back upon his accuser in a fashion to which Knox was little accustomed: "That neither he nor any other faithful in the university be thralled to any minister who exempts himself from order and godly discipline; and chiefly when the minister shall take that licence, that doctrine to publish in the pulpit which afore ordinary judges he refuses to defend in schools to show it to be consonant with the Word of God." [1]

[1] Bannatyne's Memorials, 262, 263.

In the document containing the protest against the aggrandisement of the universities, some who adopt the current opinions about Knox's opinions on Church government might look for a testimony against another and closer danger, but look in vain. Had he seized the occasion to lift his protest against Prelacy, beyond doubt he would have made his meaning understood; for it was one of his qualifications, that in dealing with any question he uttered no uncertain sound. Nor is the alternative open, that he was dealing solely with another question. The question of Prelacy was practically in his hands. His letter was accompanied by certain suggestions for the removal of minor practical abuses, some of which he considered to be injurious to the proper ordering of the office of a bishop.[1]

[1] Bannatyne's Memorials, 245-48. Those who hold that Knox was an enemy to an Episcopal hierarchy would do well to study the following articles in a memorandum sent by him along with his warning about the universities:—

"To suit at the regent, that no gift of any bishopric or other benefice be given to any person contrary to the tenor of the Acts made in the time of the first regent of good memory; and they that are given contrary the said Acts, or to any unqualified person, may be revoked and declared null by an Act of Secret Counsell; and that all bishoprics vacant may be presented, and qualified persons nominated thereunto, within a year after the vacating thereof, according to the order taken in Leith by the commissioners of the nobility and of the Kirk in the month of January last; and in special to complain upon the giving of the bishopric of Ross to Lord Methven.

"That no pensions of benefices great or small be given by simple donation of my lord regent without consent of the possessor of the said benefices having title thereto, and the admission of the superintendent or commissioner of the province where this benefice lyeth, or of the bishops lawfully elected according to the said order taken at Leith; and desire an Act of Counsell to be made thereupon unto the next Parliament, wherein the same be specially inacted, with inhibition to the Lords of Session to give any letters or decreets upon such simple gifts of benefices or pensions, not being given in manner above rehearsed;

What is chiefly remarkable in the expressions of the period about this change is the public indifference with which it was received. In fact the great quarrel between Prelacy and Presbytery had not yet begun. No

and that the Kirk presently assembled declare all such gifts null so far as lyeth in their power.

"That an Act be made decerning and ordaining all bishops admitted by the order of the Kirk now received, to give account of their whole rents and intromission therewith once in the year, as the Kirk shall appoint for such causes as the Kirk may easily consider the same to be most expedient and necessary."—Works, vi. 610.

There is a matter that would be too trifling for notice were it not that it harmonises with what little else we have to show how Knox felt at this moment. It is the appearance of his name, along with that of the new archbishop, as warranting or approving a celebrated sermon preached before the regent by David Ferguson, minister of Dunfermline:—

"This sermon was presentit to the Kirk, red and approvit be the persounis underwrittin, appointit thairunto be the Assemblie haldin at Perth 6 Augusti, anno 1572.

"J. Sanct Androis.
"Jhone Erskyn.
"M. Jhon Wynram.
"Williame Crystesone, M. of Dundie.
"Jhon Knox,

with my dead hand but glaid heart, praising God that of His mercy He levis such light to His Kirk in this desolation."

Would the ardent pupil of the Huguenots, on whom the mantle of Knox was thrown by general acclamation — would Andrew Melville have written his name below "St Andrews" in any document relating to the Church? Would he not rather that it had been too truly "dead" to serve him in recording such a testimony?

A controversial writer, who was at the trouble of noting the occasions on which Knox would have lifted his protest against Prelacy, had such been his opinion, concludes with more truth than the positive assertions of polemical disputants sometimes observe: "Thus Mr Knox, when he had the fairest occasions, the strongest temptations, the most awakening calls, when it was most reasonable for him to have declared for the divine right of Presbytery and the unlawfulness of Prelacy, is still silent in the matter, or rather, on all occasions, proceeds on suppositions and reasons from principles, fairly allowing the lawfulness of Prelacy, which is a sufficient proof he was not of the persuasion of our modern Presbyterians."—Short Narrative of the Government of the Church of Scotland from the Reformation to the Union, 11.

form and method of the new Church had yet so deeply rooted itself in the esteem or the hatred of any large portion of the nation as to find enthusiastic champions or enemies. A Protestant Episcopacy leaned to English practice, and this would naturally bring it little recommendation. The Presbyterian arrangements, on the other hand, were a fresh importation from France. But those inclining in either direction had to remember that the old Church, then in great power, and in one of its most menacing moods, might some day sweep the whole question between forms for a Protestant Church off the face of practical politics.

The new bishops were neither rich nor powerful; for the temporalities of their sees had enriched laymen, and as Churchmen they were under the rule of the Assemblies of the Church, of which they were but individual members.

The chief hostility incurred by them was in the shape of not very bitter raillery. James Melville tells of Patrick Adamson, whom we shall hereafter find in a conspicuous place: "I heard a sermon of his the week after the Bishop [of St Andrews] was made, upon ane extraordinary day, that he might have the greater audience, wherein he made three sorts of bishops—my lord bishop, my lord's bishop, and the Lord's bishop. 'My lord bishop,' said he, 'was in the Papistry. My lord's bishop is now when my lord gets the benefice, and the bishop serves for nothing but to make his title sure; and the Lord's bishop is the true minister of the Gospel.'"[1] The new dignitaries got from the populace the name of the Tulchan bishops. A tulchan, an old Scots word of unknown origin, was applied to a stuffed

[1] Diary, 32.

calf-skin which was brought into the presence of a recently-calved cow. It was an agricultural doctrine of that age, and of later times, that the presence of this changeling induced the bereaved mother easily to part with her milk. To draw what remained of the bishops' revenues, it was expedient that there should be bishops; but the revenues were not for them, but for the lay lords, who milked the ecclesiastical cow. "For," says James Melville, "every lord got a bishopric, and sought and presented to the kirk such a man as would be content with least, and get them most, of tacks, feus, and pensions. Among the rest, the Earl of Morton got the bishopric of St Andrews after the hanging of John Hamilton, and presented thereto that honourable father of the university as rector thereof for the present, Mr John Douglas, a good, upright-hearted man, but ambitious and simple, not knowing wha dealt with him. I heard Mr Knox speak against him but sparingly, because he loved the man, and with regret, saying, 'Alas for pity to lay upon an auld weak man's back that whilk twenty, of the best gifts, could not bear! it will wrack him and disgrace him.'"[1]

If there are any who attribute Knox's conduct at this period to dotage, their conclusion has such support as the wasting away of the tenement of clay can give to it. He was close to the end of his busy life. The remnant of his physical powers was departing by daily exhaustion, and yet there were exciting incidents in store for him. He had, as we have seen, to leave Edinburgh, seeking refuge in St Andrews; and now a truce had been adjusted, and his old congregation

[1] Diary, 31.

appealed to him to return. He had, as we shall see elsewhere, an opportunity of lifting his protest against the greatest crime of the age. This, and his other efforts to do his ministerial duties and fight out his old battles, are minutely recorded by his attendant, Richard Bannatyne, down to his death on the 24th of November 1572.[1]

If some distinct traces of his public conduct are not to be found in the preceding pages, these have been written in vain. The inner character of the man, as made up of the motives on which he acted, has been so torn between contending zealots, that to set it apart in peaceful composure, and contemplate it with perfect candour, is such a task as it would be hopeless to perform with satisfaction. In fact it is out of that great contest which has for centuries raged around his name that his great fame has grown. In his day he was an all-important man in Scotland, and of some consequence in England on account of his influence in his own country. But he was little known elsewhere. While the name of his quiet neighbour Buchanan spread over all literature, and was repeated in every university and cluster of learned men, the contemporary notices of Knox are extremely scanty, and, from uncertainty in spelling, not easily identified. When contemporary foreign writers name him, it is generally to commend his services in a branch of that contest in which Calvin and Beza were the commanders. Nor was this an entirely false appreciation of his place, for he did implicitly the work which they had planned. He was no deviser of creeds and organisations; he had nothing original about him but his in-

[1] Memorials, 288.

dividuality of character and his power over his native tongue.

The tokens of egotism and arrogance abounding in his speeches and writings have naturally courted censorious criticism. But whether these qualities are to be denounced or approved, they are to be weighed in mightier scales than the social frailties commonly expressed by these terms. His impersonation of self, his "I, John Knox," and his assumption of authority, come from something deeper than idle parade. They were something akin to the personal state and high authority of the prophet in the old dispensation. He seeks no constituted authority either by hierarchical rank or popular vote. He holds his commission from a higher power than man can wield. He is found alluding occasionally to the opportunity he had of being a wealthy bishop in England; and he does so not in the spirit of one declining authority, but of one who was selected to exercise it in a higher sphere. The prophet's gift of foretelling future events he seems to have handled cautiously and moderately; but he did enough to show that he claimed it, and so drew a foul jest from Lethington on the frailty of the human clay to which his prophetic powers were allied. What chiefly suited him among the old prophetic missions was that of the corrector of human principalities and powers—the direct agent of the Deity to check their exorbitance and punish their excesses. How extensive a jurisdiction he would have thus claimed may in some measure be seen in a study of his 'First Blast of the Trumpet of Defiance.' It would apparently have come out with still greater force and distinctness had he fulfilled an intention he entertained of publishing a "second blast."

The tenor it would have followed may however be seen in certain propositions which "by God's grace" he intends "to entreat in the second blast." In examining the nature of the authority over temporal rulers thus asserted, it is safe to believe that Knox would not have permitted that authority to be vested in any other hands than his own.[1] The times upon which his fate was cast afforded him, as we have seen, brilliant opportunities for the exercise of this duty of rebuke. Amid the storm and darkness in which he was departing, perhaps the keenest bitterness of all was the obduracy of that never-forgotten greed shown by his zealous lay associates in keeping to themselves the wealth of the Church. In July before his death we find him writing to his friend the Laird of Pittarrow: "If they can have the Kirk lands to be annexed to their houses, they appear to take no more care of the instruction of the ignorant, and of the feeding of the flock of Jesus Christ, than ever did the Papists, whom we have condemned, and yet are worse ourselves in that behalf. For they, according to their

[1] "1. It is not birth only, nor propinquity of blood, that maketh a king lawfully to reign above a people professing Christ Jesus and His eternal verity; but in his election must the ordinance which God hath established in the election of inferior judges be observed.

"2. No manifest idolater, nor notorious transgressor of God's holy precepts, ought to be promoted to any public regiment, honour, or dignity, in any realm, province, or city, that hath subjected itself to Christ Jesus and to His blessed Evangel.

"3. Neither can oath nor promise bind any such people to obey and maintain tyrants against God and against His truth known.

"4. But if either rashly they have promoted any manifest wicked person, or yet ignorantly have chosen such a one, as after declareth himself unworthy of regiment above the people of God (and such be all idolaters and cruel persecutors), most justly may the same men depose and punish him that unadvisedly before they did nominate, appoint, and elect."—Works, iv. 539.

blind zeal, spared nothing that might either have maintained or holden up that which they took for God's service; but we, alas! in the midst of the light, forget the heaven and draw to the earth."[1]

His personal character was well abused. Some of his opponents charged him with acts of profligacy, which were put in a grotesque shape that they might make him ridiculous as well as odious.[2] But this was the lot of every public man in that day, and it was measured out to him in proportion to the enmity he might succeed in exciting. Personal defamation was almost as much the etiquette in controversy then as the sneer about folly and conceit in the present day. Knox himself was unscrupulous in flinging vituperations about when his blood was heated by controversy; and though many of the charges uttered by him were true, others were probably as groundless as the aspersions on himself. We may the more readily disbelieve the charges of ordinary immorality, that they are accompanied by a story, how in his old age he, by the aid

[1] Works, vi. 617.

[2] For these charges see 'Calvino-Turcismus, id est Calvinisticæ Perfidiæ cum Mahometana collatio,' by William Reginald, an Englishman, p. 260; 'Ane Catholik and facile Traietise,' by John Hamilton, p. 60 (this is the murderer of Brissot already referred to); 'De Scotorum Fortitudine,' by David Chambers, p. 276; 'The Disputation concerning the controversit Headds of Religion, halden in the Realme of Scotland,' by Nicol Burne, p. 143.

The foundation of these scandals appears to have been certain accusations made by an excited woman named Eufame Dundas to an Edinburgh mob; and probably they would never have left the High Street to be found in learned men's books, had not the magistrates arraigned her for having "spoken divers injurious and slanderous words, baith of the doctrine and ministers, and in especiall of John Knox." The accusation thus came into the records of the Town Council of Edinburgh, where also it is recorded that Eufame denied having ever made such charges.—See extracts from Council Records, June 18, 1563, in Kirkton's History, 22.

of Satan, got a young and noble lady, the daughter of Lord Ochiltree, to love him and become his wife. Knox, indeed, appears to have practised fairly the ascetic creed he taught. It tolerated things which might surprise some Puritans of the present day. He had no objection to entertaining his political friends, for the discussion of public affairs, at a four-o'clock supper on Sunday; and he would not grudge them a cup of generous wine on the occasion. The faithful attendant who scrupulously records all that he did day by day as he was nearing the grave, tells us this among the rest: "The Saturday, John Durie and Archibald Stewart came in about twelve hours, not knowing how sick he was; and for their cause [he] came to the table, which was the last time that ever he sat at any thereafter, for he caused pierce ane hogshead of wine which was in the cellar, and willed the said Archibald send for the same as long as it lasted, for he would never tarry until it was drunken."[1]

A saying of Morton over Knox's grave has often been misquoted. As related by James Melville, the only authority for it: "He loved Mr Knox while he was alive. At his death and burial he gave him an

[1] Bannatyne's Memorials, 283. Randolph, in one of his news-letters to Cecil, dated 30th November 1562, tells how, "upon Sunday at night, the duke supped with Mr Knox, where the duke desired that I should be. Three special points he hath promised to perform to Mr Knox before me: the one is, never to go for any respect from that that he hath promised to be—a professor of Christ's Word and setter-forth of the same to his power; the next, always to show himself an obedient subject to his sovereign, as far as in duty and conscience he is bound; the third, never to alter from that promise he hath made for the maintenance of peace and amity between both the realms."—Wright's Queen Elizabeth, i. 115. Thus Knox seems to have transacted a good deal of business at this Sunday supper, and to have laid as fast a hold as words could take on a very slippery person—the head of the house of Hamilton.

honourable testimony, 'that he neither feared nor flattered any flesh.'"[1]

There is a well-known apophthegm about the levelling even of heroes in the estimation of their valets. It is seldom that we have the hero drawn for us by the domestic. Richard Bannatyne, the author of the Journal so often cited in these pages, stood to Knox in a position scarcely paralleled at the present day, except in some measure by the clerks of the Solitaries who live in the Inns of Court in London. He always calls himself servant, but he was also clerk or secretary. When he has recorded the last scene, he pours forth in mingled wailing and laudation an estimate of his old master which may possibly do more to reconcile some people to the character of the great polemic than all the declamations that have been thundered in his praise:—

"On this manner departed this man of God, the light of Scotland, the comfort of the Kirk within the same, the mirror of godliness, and patron and example to all true ministers in purity of life, soundness in doctrine, and in boldness of reproving of wickedness; and one that cared not the favour of men, how great soever they were, to reprove their abuses and sins.

"In him was such a mighty spirit of judgment and wisdom, that the trouble never came to the Kirk sin his entering on pulpit-preaching but he foresaw the end thereof, so that he had ever ready a new counsel and a faithful to teach men that would be taught to take the best and leave the worst; so that he that followed his counsel, in the end had ever occasion never to repent him; and contrarie, such as have rejected the

[1] Diary, 60.

same have casten themselves in most shameful wickedness, and have come in a part, and daily more and more are like to come and fall to a most miserable ruin, both of soul and bodie—whilk undoubtedly shall come upon them if repentance prevent not God's judgments—as may be well verified this day in the Hamiltons, the Laird of Grange, and William Maitland, whose end behauld when it comes."[1]

Nearly at the same time with the departure of Knox the country was stirred by another historical death. The Regent Mar died a natural death on the 28th of October. The event was momentous, less by the person it removed than for him it brought upon the political stage.

[1] Memorials, 289.

CHAPTER LV.

Regency of Morton.

ELECTION OF A NEW REGENT—MORTON CHOSEN—HIS DEALING WITH NORTHUMBERLAND—INFLUENCE IN SCOTLAND OF THE MASSACRE OF ST BARTHOLOMEW—LESLIE, BISHOP OF ROSS—HIS DEFENCE OF QUEEN MARY—ACTS AS HER AMBASSADOR IN ENGLAND—THE POLITICAL RELATION WHICH GAVE HIS MISSION THE STYLE OF AN EMBASSY—MORTON CALLED TO LONDON—THE DIPLOMATIC FARCE PERFORMED THERE—TALK OF THE MARRIAGE OF MARY AND THE DUKE OF ANJOU—PLOTS OF THE BISHOP OF ROSS AND RUDOLPHI—DIFFICULTIES WITH THE BISHOP AS AN AMBASSADOR—THE POPE'S BULL AGAINST QUEEN ELIZABETH—JOINT INFLUENCE OF THE PLOT AND THE MASSACRE IN ENGLAND—PRESSURE FOR PUTTING QUEEN MARY TO DEATH—QUESTION OF A PLAN FOR SENDING HER TO SCOTLAND TO BE SLAIN—KILLIGREW'S MISSION—THE OLD QUEEN'S PARTY DRAWN OFF—GRANGE AND LETHINGTON LEFT.

In November there was a large meeting of the Estates to elect a new regent. Again the business was transacted with deliberate formality: "And first of all agreed that ane is mair convenient to rule and govern in the king's majesty's minority than mair. Secondly, all promised and gave their solemn aiths to obey the person that should happen to be chosen to that rowme. And lastly, the noblemen present gave their aiths that whasoever should happen to be chosen to the said office of regentry should accept the same, and not

refuse it." As on the former occasion, the first step was to strike a leet. It was limited to two—James Douglas, Earl of Morton, and Alexander Cunningham, Earl of Glencairn. The second name we may suppose to have been selected for the mere purpose of form. Morton was declared duly elected, and certain general principles of government were laid down, "to the effect that ane uniform concurrence may be betwixt him and the nobility for the forthsetting of the glory of God and governing the affairs of the commonweal."[1] The election was on the 24th November, but for some time before the death of his predecessor Morton virtually ruled the king's party in Scotland.

Of the English who had sought refuge in Scotland at the dispersal of the northern rebellion, one yet remained, the Earl of Northumberland—the others had been helped over to the Continent. Murray, as we have seen, refused to give up Northumberland. Morton was otherwise minded. He had the captive in his own custody, in the Castle of Lochleven, so that he did not require to compromise the Government in the matter; and before the time when he became regent—on 7th June—he handed over Northumberland to the English authorities. It would appear that two thousand pounds, cash down, formed the consideration for this concession, of which a contemporary says, "The fault was done for some other cause nor we know, to the great shame of this realm, to steal so noble a man, ane prisoner, yea, that came in this realm for safety of his life, wha was soon after his coming to London, headed, quartered, and drawn."[2] Five days before the transference of Northumberland,

[1] Act. Parl., iii. 78. [2] Diurnal of Occurrents, 298.

Norfolk had been beheaded. Such events, with others of larger and more portentous import elsewhere, were the outward tokens of political forces which were hurrying towards a crisis.

Early in September came news of the massacre of St Bartholomew. This great tragedy belongs to the history not only of France, but of every country in which there was a portion of Protestantism, since it created not only horror and wrath, but personal fear: it was like the first shock of an earthquake—no one knew what was to follow, but all feared the worst. The pulpits throughout Scotland resounded with denunciations; and Knox was still alive, with enough of the old spirit in him to let his individual voice be heard in the general storm. All this was unpleasant to Le Croc, the ambassador from France, who was in Edinburgh, and could not but be aware of the execrations heaped on the Court he represented. As Bannatyne tells us, he "was not a little miscontent because his master the King of France should be thus called a traitor, and a murderer of his own subjects under promise and trust; but especially against John Knox, who had pronounced in his sermon, and had declared the same to the ambassador to tell his master, that the sentence is pronounced in Scotland against that murtherer the King of France; that God's vengeance shall never depart from him nor his house, but that his name shall remain an execration unto the posterities to come, and that nane that shall come of his loins shall enjoy that kingdom in peace and quietness until repentance prevent God's judgments."[1]

There seems to have been much excitement about

[1] Memorials, 273.

the possibility of any Scotsman, especially any of the Scots guard, having assisted in or countenanced the slaughter. An inquisition was held on the rumour that certain persons who had professed the true faith at home, having gone to France, or other foreign parts, "have declined since syne to idolatry and Papistry, passed to the mass, and now returned within the country, to the great slander of the Kirk." Such persons were to be subjected to severe discipline. We find one of them, a Captain Anstruther, admitting that he had been present at mass, "albeit in his conscience he hated the same as idolatry." He submits to all due penance; "and as to the butchery and massacre at Paris, declares he kept the king's gate at Louvre the time thereof, but passed no farther."[1]

A proclamation was issued calling a General Assembly by the authority of the king and Council. This was the first occasion on which the Crown is found dictating a course of action to the Protestant Church in Scotland, and on a less exciting occasion it might have been denounced as an Erastian interference. The Assembly was to deliberate on the course to be pursued "in respect to the great murthers and more than beastly cruelty used and put in execution in divers parts in Europe against the true Christians within the same; proceeding, na doubt, out of that unhappy, devilish, and terrible Council of Trent, and pretended not only to be executed in foreign countries, where either their power or treason may avail, but also intended to be prosecute and followed forth with the like greater cruelty—if it were possible—against the true Christians here in this our realm of

[1] Book of the Universal Kirk, 458, 459.

Scotland, and over al-where else wherever Christ's Evangel is sincerely professed."[1]

The Assembly met on the 20th of October. The meeting is all the more emphatic a testimony to the public feeling, that while every congregation was required to join in the election of a due number of representatives, the sole business of the meeting appears to have been the lifting of their protest about the massacre. A week of prayer and fasting was decreed. With a curious logic often met with in ecclesiastical discussions in Scotland, the fate of the French Huguenots was set down as a judgment for the sins of the Scottish gentry, and especially their usage of the clergy. They say: "Because in the reformation of the nobility consists the chief example of the hail country, we crave not only a general reformation of such imperfections as are in them, but also that such vices as in particular shall be given in to them be amended — such as that they be reformed in the wrongous using of the patrimony of the Kirk, applying the same to their particular use, to the great hurt of the ministry, the schools, and poor." The occasion is seized for an investigation to be made by the local Church courts into the lives and conduct of all men; and they are to do discipline in such sort "that wickedness and such heinous crimes that offends the majesty of God may be purged forth of this country."

The Assembly's protestation seems more natural to the occasion when it demands the rigid enforcement of the penal laws against Papists. But the most truly important, as pointing to the policy of the future,

[1] Bannatyne's Memorials, 271.

is the concluding injunction of the protestation in these words:—

"For resisting of the Papists of foreign countries, as well within as without, that my lord regent's grace and nobility shall cause such order, that ane league and confederacie be made with our neighbours of England, and other countries Reformed and professing the true religion, that we and they be joined together in mutual amity and society, to support every ane other, whensoever time or occasion shall serve, for maintenance of religion and resisting the enemies thereof. Likewise that ane solemn band and aith be made by all them that be professors of the Evangel within this realm to join themselves together, and be ready on all occasions to resist the enemies foresaids; and if any be's fand negligent therein, he shall be holden for ane false brother, and excommunication to proceed against him."[1]

No one event seems to have done so much, both to the furtherance of the Reformation in Scotland, and casting its peculiar character, as this great tragedy in France. It is from this juncture that we may trace the rise of a popular zeal for the Presbyterian polity. It was an occasion to remember the ties which held the Reformed party in the two countries together. If the fact had been little heeded before, it would now be emphatically stamped on the memory of the Scots Protestants, that the sufferers were those very Huguenots from whom they had taken, with scarcely any variation, their ecclesiastical assemblies and their form of worship. In secular politics, also, the event made a turning-point. As it was the offensive interference of

[1] Book of the Universal Kirk, i. 253, 254.

England that gave the queen's party sufficient strength for action, so it was the massacre of St Bartholomew that was the chief immediate cause of its prostration.

To see how this befell, it will be convenient to turn to England and follow up the sequence of events occurring there which exercised an influence on events in Scotland. The person who was the chief agent in these events was our old acquaintance John Leslie, Bishop of Ross, Queen Mary's zealous agent throughout the conferences at York and London. Although he was a thorough partisan throughout quarrels productive of the deepest hatreds, and was concerned in many desperate and dangerous plots, yet he has had the fortune to receive the commendation of enemies as well as friends, and to hold a popular reputation in history. As he was thus a man of much mark, and had risen to a station only gained in general by men of family influence, there was much inquiry as to which branch of the eminent family of Leslie might be his parent stock. He seems to have belonged to the class holding a dubious but influential position already referred to — the children of affluent priests, whose domestic position was in strict law concubinage, though a certain social tolerance redeemed it from absolute infamy.[1] Knox, in his peculiar jeering fashion, called Leslie "a priest's gite;" and this may be held as almost conclusive, for Knox was far too hard a hitter to cast a reproach which everybody in Scotland would know to be a falsehood.

Intimately connected with his championship of his mistress in other shapes was a paper in defence of Queen Mary's honour, in which he ran atilt with

[1] See chap. xxxvii.

Buchanan, as her accuser, in what might be called "the press" of that period. This may be considered the commencement of a controversy which has not only left recent traces, but still lives—a dreary controversy, at least in its early stages, afflictive to all who have waded through it in the hope of finding either past facts or a practical policy for future guidance. On the one side every monarch is God's special agent upon earth, who is responsible to no one but his Almighty Master; and on the other there is the legal fiction of a contract between monarch and people, with the logical conclusion, that when the monarch broke his obligation in the contract, the people were released from theirs, and might lawfully resist his authority. The inspiration of the one party was drawn from the doctrines of imperial supremacy in the Civil and Canon laws, and that of the other from the fanciful republicanism of the Greek and Latin classics; while both drew from Scripture what suited them. It was not necessary to Leslie's argument that his mistress should be innocent. It is impossible, indeed, to read his vindication without feeling that he believed her to be guilty. He alludes casually in passing to "this good innocent lady," "whose honour many have gone about to blot and deface in charging her most falsely and unjustly with the death of her late husband;" but these expressions seem merely matter of etiquette and courtesy, like the terms "gentle lady," "virtuous matron," "gallant soldier," "learned divine," and the like. One sees that the bishop throws his force into the argument, that whatever she was, her subjects were bound to implicit obedience, and prohibited by the most holy of laws from entertaining

the question whether she was guilty or not.[1] Here and there a reader might think he detects a hankering for the admission of guilt, as if the author desired an opportunity of pushing his argument to its ultimate conclusion. It was an idea somewhat akin to the plea of the devotees of the apostolic succession, when defending their favourite dogma from assaults founded on the sins of the popes and the profligate life of so many illustrious prelates. The integrity of the descent did not predicate the purity of the medium through which it had passed. Nay, the very foulness of the human clay through which it passed uncontaminated, only exemplified the strength and vitality of its innate purity.

If we can believe the report of a contemporary, the bishop freely admitted her guilt in familiar talk—nay, would exaggerate it, on the principle on which gunmakers apply "a proof-charge" to their manufacture.[2] If divine right could stand the test of such wickedness, so much the stronger was that principle. The bishop's opinions on government were entirely to the taste of Queen Elizabeth; and she thought none the less of their author, if she saw that he had a hidden belief in her

[1] See the quotation from the defence above, chap. xlvii.

[2] See in Froude (ix. 400) the letter to Burleigh by Sir Thomas Wilson, in which, after citing some remarks by the bishop on the project of the Norfolk marriage, there follows:—

"He saith farther upon speech that I had with him, that the queen his mistress is not fit for any husband; for, first, he saith she poisoned her husband the French king, as he hath credibly understood. Again, she hath consented to the murder of her late husband the Lord Darnley. Thirdly, she matched with the murderer, and brought him to the field to be murdered. And lastly, she pretends marriage with the duke, with whom, as he thinks, she could not long have kept faith, and the duke should not have had the best days with her. Lord, what people are these! what a queen, and what an ambassador!"

royal sister's guilt. When the conference at Hampton Court was at an end, he remained in England in the quality of ambassador from the Queen of Scots. As Elizabeth had not admitted that Queen Mary had been lawfully removed from the throne, she found that she could not, or at least she would not, deny to the bishop the privileges of an ambassador, though it was scarcely consistent that the representative should enjoy the immunities of an ambassador in the country where the sovereign represented was a prisoner. Queen Elizabeth conceded to him cordially the privileges of intercourse practised between sovereigns and the ambassadors of crowned princes in that day, and she repeatedly praised him for his fidelity to his mistress; but she afterwards found that even a believer in the divine right of monarchs could prove dangerous.[1]

Queen Elizabeth was then in the midst of her grotesque negotiations for a marriage with the young Duke of Anjou. If it really were, as some think, that she was amusing herself with a bold game at coquetry, she was certainly permitted by her sage advisers to do what must, if it had ever revealed itself, have been a stinging insult to one of the proudest and most powerful Courts of Europe. She was thirty-seven, and he was twenty years old. In private circles at the present day such a union would perhaps be censured

[1] "Although we doubt not but you are well certified of the diligence and care of your ministers having your commission, yet can we not, beside an allowance generally of them, specially note to you your good choice of this bearer, the Bishop of Ross, who hath not only faithfully and wisely, but also so carefully and dutifully, for your honour and weal, behaved himself, and that both privately and publicly, as we cannot but in this sort commend him unto you, as we wish you had many such devoted discreet servants, for in our judgment we think ye have not any in loyalty and faithfulness can overmatch him."—Goodall, ii. 270, 271.

as "a disparity of ages on the wrong side." Looking at it as a question of State policy, in which all considerations of attachment or other personal matters must be submerged, the bare outlines of history show how momentous such a negotiation might become. In 1574 the Duke of Anjou became Henry III., King of France. The issue was the possible political balance of France and England against the Pope, the Emperor, and Philip of Spain; and on the other hand the extinction of the plots for uniting Spain and France in a project to place Queen Mary on the throne of England. What place the Huguenot party might hold in France was yet undecided—perhaps they might become supreme. To cultivate and caress them was perhaps part of the preparation of that net in which they were to be caught and slain. It is possible that the alliance with a heretic Queen of England may have been among the lures held out to lead them to destruction. If it has been thought that Elizabeth was on the eve of sacrificing her public political duty to the feelings inspired by an ever-present attraction, surely it would be a terrible fall from that lofty self-command for which she has been so widely renowned, if she were to throw all these momentous interests into a coquettish game of "would and would not" with a youth whom she had never seen.

However it was, England and France were in close diplomatic concord; and as Mary's name was not struck off the list of queens at the English Court, her ambassador transacted business with the other two. France was friendly in her cause, if not very earnest; and England must go along with France, or have a quarrel. So it came that the restoration of Queen Mary to her

throne, under certain sound conditions, came to be on paper a matter of solemn diplomacy. The remembrance of this will explain many anomalies, and render it unnecessary to suppose that Queen Elizabeth not only veered between the king's and the queen's party in Scotland, in obedience to her own womanly caprice, but that on each occasion she brought round her sage advisers with her. These advisers found it necessary to have all things ready for striking a final blow against Queen Mary in Scotland, while it was necessary in the mean time to discuss with France the terms of her restoration. After some preliminaries, certain specific articles were exchanged between the high contracting parties, the Queen of England and the Queen of Scots. It is unnecessary to burden history with stipulations which not only came to no practical issue, but were not matter of public knowledge in their day, and were perhaps to those concerned only a solemn mockery. But there is one little point on which Queen Mary showed that the old spirit was not dead. The articles were prepared by Cecil and Mildmay, and sent for the criticism of Queen Mary and her faithful ambassador. One condition was, that Queen Mary was to ratify that treaty of Edinburgh which acknowledged that Elizabeth was the lawful Queen of England,—a concession which, as we have seen, Mary had, through all her difficulties and humiliations, ever managed to evade. The condition in the original draft was,—

"That besides the general contract of amity, the Queen of Scots shall by special words confirm the clause of the last treaty of Edinburgh, in the month of July 1560, or the true meaning thereof, for her for-

bearing from all manner of title, challenges, or pretences to the crown of England, whilst the queen's majesty and any issue to come of her body shall live and have continuance; with provision to the Queen of Scots, that thereby she shall not be secluded from any right or title that she and her children may hereafter have, if God shall not give to the queen's majesty any issue of her body to have continuance."

The words "any issue to come" were intended to be comprehensive; but they were unfortunate, in giving such an opportunity for inflicting a feminine sting as Mary could not forego. She suggested a trifling alteration—merely that the word "lawful" be inserted before the word "issue." This was an amendment that could not be well rejected, and Cecil was content to note on the margin that it was offered "with no good and honourable meaning."[1]

The worthy French ambassador, La Mothe Fénélon, stirred himself not only to keep this project alive, but to bring it to a practical conclusion. Pitcairn, the

[1] "Articles delivered to the Queen of Scots by Sir William Cecil and Sir Walter Mildmay, Chancellor of the Exchequer, councillors and commissioners to the queen's majesty of England, with the Queen of Scots' answers and requests thereto, 5th October 1570;" Haynes's State Papers, 608. See also original documents cited, Froude, x. 126.

This is not the only instance where the draftsmen of the State documents of the period gave opportunity for spiteful comments on the same topic. In the Act of 1571 against seditious practices, the penalties are incurred "if any one during the queen's life should by any book written or printed expressly maintain that any person is or ought to be the queen's heir or successor, except the natural issue of her body." Camden, following up a thoroughly distinct exposition of the meaning given by the common lawyer to the concluding words, says: "So that I myself, being then a young man, have often heard people say that this word was inserted into the Act by Leicester, with a design that one time or other he might impose some bastard son of his upon the English for the queen's *natural* issue."—Camden in Carte, ii. 436.

Commendator of Dunfermline, was resident ambassador, or rather agent, for the king's party in London. His instructions were to represent the King of Scots, and of course he had no power to treat for the restitution of the king's mother. Queen Elizabeth desired that a deputation from the ruling party, a deputation of men entitled to represent them, should attend in London, and sent Pitcairn back to say so. We have seen that when she acknowledged the king's Government as an existing fact on the election of Lennox to the regency, she had reserved the possibility of doing something for Queen Mary if she got new lights on the merits of her case, and now she threatened to take a broad view of that reservation. The affair seemed so menacing that Morton took the mission into his own hand, though the time was extremely critical and he could ill be spared. He was accompanied by Macgill and Pitcairn. It seemed to be the old story of the conferences over again. They were not called traitors and rebels, but still they had to plead before Queen Elizabeth the cause of the new Government, and to justify their conduct. They left Scotland at the end of February, and did not return again until the 18th of April. The conferences in which they shared were deemed momentous in England and France, and were discussed in every Court in Europe. But so busy were the Scots with their own immediate affairs, that no contemporary writer save Buchanan gives an account of a discussion appearing on its face to involve the future fate of Scotland. It is scarcely even noticed that the truce was adjusted to facilitate the conference. It is simply stated that Morton and his companions returned after an absence on business in

England. Fénélon watched their arrival with impatience, and immediately entered on friendly conference with them. The treaty between the Queen of England and the Queen of Scots contained a stipulation for placing the young prince under the protection of Queen Elizabeth. To this his mother had consented under certain conditions; but the French Government were alarmed by the proposal, as likely to close for ever their influence over Scotland. Fénélon therefore met Morton with two propositions, which he was bound to press: the one, that the young prince would not be handed over to the Queen of England; the other, that he and those who acted with him should return to their duty and allegiance to their queen. On the first, Morton gave an assurance prompt and absolute—there was no danger of their giving up their king. On the second, he spoke about the danger to himself and others if the queen came back; and he declined to accept of the assurances of the King of France for his safety. By no persuasions, promises, or threats, could Fénélon, according to his own account, get satisfaction on this point; and we can imagine him more than ever calling up the dangerous smile which was known on occasion to lighten up the rigid features of Morton's face. Fénélon heard that Queen Elizabeth in Council was strongly pressed on the exceeding danger to herself and her realm of giving effect to the restoration project. She said that was not what she called them to consult about. It was a thing determined on. What she desired was, that they would settle with the commissioners from Scotland the method of effecting it. When this was brought to Morton, it seems to

have roused him to say what would at once put an end to farther dubious talk, and bring action if it was to come. He spoke once, and again still more emphatically and angrily, to the following effect: Their queen had resigned the crown, and the resignation had been accepted and dealt with by the Estates. By the constitution of Scotland these were supreme. Their queen had committed great crimes, and they had resolved that she should no longer reign over them. Scotland had punished evil sovereigns before: it was a wholesome practice, warranted by Scripture which gave examples of the punishment of wicked kings, and conformable to the privileges of a free nation. At the conference at York the reasons for the act had been sufficiently set forth in the proved guilt of the queen. But, right or wrong, it was a thing with which England had no concern. It was done; and whether they had assistance from England or not, they felt themselves strong enough to fight their own battle.[1]

When this tirade of political blasphemy was carried to Elizabeth, it brought on one of her paroxysms of fury.

[1] The only contemporaneous Scots account of Morton's defiance is in Buchanan. The account of it by Calderwood is little more than a translation of Buchanan's. He calls it the "summa" or summary of his mission rendered by Morton on his return to the Parliament at Stirling. But we may suspect that it is rather Buchanan's expansion than Morton's abridgment. It touched on the historian's favourite theme; and it is impossible to believe that Morton, who was a man rather of action than of words, could have uttered the eloquent essay on classical republicanism—eloquent, yet tedious to the modern reader—of which Buchanan gives him the merit. If an abridgment of anything, it might rather be of Buchanan's own essay, 'De Jure Regni,' than of any speeches of Morton's. One might believe the whole to be the invention of the historian, were not the tenor of it in great measure confirmed by the reports which Fénélon rendered to his own Court, evidently shuddering under the task of repeating such perilous stuff.

She could not well punish Morton, and she seemed inclined, after the manner of Eastern despots, to avenge it on those who brought her the report. She said the advice to speak in such fashion had been given him by some of her own Council, who deserved to be hanged outside, with a cartel of their advice round their necks. Queen Mary, or the Bishop of Ross for her, suggested that Morton should be detained in England, evidently that he might be punished for his offences; and Elizabeth so far showed a hankering in the same direction by forbidding his immediate return. The discussion was kept alive by various proposals and incidents. Among them, news came how Walsingham had discovered in Paris an arrangement for the marriage of Queen Mary to the Duke of Anjou, to whom it was said she had indorsed her claim to the throne of England.[1] It was put to the Bishop of Ross,

[1] The Bishop of Ross, among the articles which he says the English Council or "the principal councillors" desired that he should propose to his mistress as the basis of a settlement, one was, "That a renunciation be procured by the Queen of Scots of a title which the Duke of Anjou pretended to the crown of England, by virtue of assignation made to him by the Queen of Scots, in hope of a marriage to be contracted betwixt them."—Leslie's Negotiations; Anderson, iii. 50. The bishop's account of the answer rendered by his mistress to this requisition is a strange one: "She would procure a declaration and renunciation of the Duke of Anjou of the alleged title, although there was never any such thing done by her in his favours, as she affirmed upon her princely word, conscience, and honour."—Ibid., 53. This is thoroughly in character with poor Leslie's tone throughout: it is that of a man who never can be sure of what his mistress may have done, whatever she may have said to him or others, and who consequently thinks it necessary to provide for the possibility of the fact being the reverse of what she tells him. He says afterwards, that James Borthwick was to be sent to France to know what the French king thought of the Norfolk marriage, and the effect it would have on the relations of Scotland with England on the one hand, and France on the other; and at the same time "to procure and obtain such things as was necessarily required, especially the renunciation of the Duke of Anjou."—Ibid., 54.

that he might end all the strife and difficulty by at once clearing his mistress of the foul charges made against her. But the bishop, as we have seen, took refuge from such a perilous duty in very high regions of political philosophy. It was not a sentiment to have place even in human thought, far less in practice, that a sovereign accountable only to God should be required to vindicate herself from charges made by her own subjects. On her part the French king was pressed either to abandon his opposition to the placing of her son in England, or else that he would send a force for her restoration. Whatever shape the discussion took, broad or narrow, Morton asserted that he had no powers to consent to anything affecting his king's authority; and when pressed hard he protested and swore that so it was. This determination forced a way out of the immediate difficulty — he should return for fresh powers. He was glad to return; but the fresh powers in the direction indicated were not in his thoughts, and even the sanguine Fénélon saw at this stage that nothing was to be done for the Queen of Scots, to whom he had a friendly attachment.[1]

It was about a month after this, on the 13th of May, that the Bishop of Ross received a visit from three English statesmen—Lord Sussex, Sir Ralph Sadler, and Sir Walter Mildmay. The bishop was acknowledged as an ambassador, and to send officers of the law to deal with him would have been an indecorum and a breach of diplomatic rule. Virtually, however, the three distinguished visitors were detective policemen. The result of their visit was, that he was to reside with his

[1] Correspondence diplomatique de Bertrand, de Salignac, de la Mothe Fénélon, iii. 2 *et seq.*

brother bishop of Ely in his house in Holborn, and this was a decorous committal to prison. He had long held secret transactions with a certain Rudolphi, an emissary of the Pope, who kept close communication not only with his holiness, but with Philip of Spain and his great captain the Duke of Alva. Rudolphi had been many years in England conducting the business of a banker. Suspicion against him first arose out of dealings with the rebel lords of the north. On this point he was at once explicit and candid. In his trade as a banker he looked solely to the security of his moneys and the interest payable, and noways concerned himself with the purpose to which the borrower was to apply the loan. With the bishop, however, who by his own account had been despoiled of his "rents, houses, and possessions," and lived for three years in penury, heavy banking transactions could not well be on his own account. If these were his business with Rudolphi, the transactions must affect his mistress's French dowry, and all dealings with that were matters of moment to the English Government. It turned out in reality that the bishop's dealings were far deeper and broader. He had previously been so far suspected that he had been placed in seclusion four months in the Bishop of London's palace: that was at the time of the English expedition into Scotland under Sussex. The connection with Rudolphi was still a secret. The banker himself had been signally fortunate in his explanations. He was a man of birth; and being a Florentine, his profession of a banker did not derogate from that, or preclude him from the society of men of his rank. Noble, acquainted with affairs and languages, believed to be

candid and upright, he was chosen by Cecil and Walsingham as a person who might be sent to the Court of King Philip to adjust some business about prizes at sea, and pecuniary claims connected with them. It seemed a fortunate accident for the bishop. He furnished Rudolphi with full instructions, both from Queen Mary and from Norfolk. He triumphed so far as to put the emissary in possession of Norfolk's signature, whom he thus committed to the great project on hand. This project was distinct and comprehensive. There was to be a landing either at Harwich or Portsmouth. "From his majesty [the King of Spain] and his holiness we ask for 6000 harquebusmen, with 4000 additional harquebuses to arm our own people, 2000 corselets, and 25 pieces of artillery. 3000 horses will be wanted also, to keep command of the country in case the Queen of England make more resistance than it is thought she will be able to do." Money will be wanted, which Queen Mary and Norfolk are to reimburse when, with the help of God and his majesty, they are successful. If the invading force could be increased to ten thousand—two thousand being sent to Scotland, and the like number to Ireland —this would be an improvement. As the scheme resolved itself into practical detail, it included the landing of two thousand men at Aberdeen, where Huntly would be found in possession for Queen Mary, and a united army of Scots and Spaniards would be prepared to march southwards.[1] The bishop was in the thick of these splendid projects even while the conference with Fénélon and Morton seemed to keep his hands full of business at home; and he carefully

[1] Froude, x. 169, 203.

adjusted the arrangements for seizing the Queen of England and releasing his own mistress.

An accident opened up the whole plot to Cecil, as with the rising of the curtain in a play. Rudolphi placed confidence in a certain Charles Bailey, described as a Fleming. He knew a great deal, and he was the bearer of three instructive letters in cipher—one to Norfolk, one to Lord Lumley, and one to the bishop. The messenger had also a bundle of copies of the bishop's Vindication of Queen Mary, printed abroad. This was a commodity not likely to save him from any interruption or suspicion to which he might otherwise be liable. The bishop complained that the messenger had disobeyed orders. He was told to leave his charge in assured hands at Calais, to be afterwards brought over. He brought them himself to Dover, where he was seized and searched. The bishop's marvellous adroitness all but remedied the blunder of his messenger. By a feat which partook almost as much of jugglery as of diplomacy, he got the fatal packet addressed to himself into his hands, and laid down another in its place, outwardly an exact imitation, but containing nothing within betraying more than honest zeal in the cause of his mistress. But suspicion was roused. He had no occasion to be then in London, for the conference for which he went thither was over. The agent who conveyed the packet to Norfolk was the bishop's man. Through that agent there was a possible clue to all the mystery, and through all shapes of harshness and cruelty it was followed. The bishop took to bed for three months, grievously afflicted with "the burning ague." He acknowledged that for thirty years he had not known

sickness, but the anxiety of this crisis was too much even for his Scotch constitution. It was while he was in his own estimation utterly unfit to be spoken to that his privacy was invaded by the distinguished visitors already referred to. He had energy enough at his command to baffle and defy them. He would answer no questions, saying he was an ambassador who would give no information to any one but his own queen who had commissioned him; and as to the information they professed to have extracted from Bailey, "if Rudolphi had told him any such matters," it appeared to him that it was "but an Italian discourse, and of no moment, not to be taken heed unto." They searched the premises, of course with no result; they found nothing but what was proper and orderly. They desired to see his man Cuthbert; but Cuthbert knew a great deal too much, and therefore the bishop, before falling into the burning ague, had sent him off, "to be surely and secretly kept by the means of assured friends four months thereafter in London, until means were taken for his removal to France."

Continuing to press his privilege as an ambassador, he was told that the opinion of counsel had been taken fully on that point, with the conclusion that ambassadors forfeited all privileges if they conspired or acted against the government to which they were accredited. He answered rather ingeniously, that England had not laid on herself the restraint of this rule; in Scotland especially, where there had been a rebellious attempt against the queen and her husband Darnley just after their marriage, the English ambassador had assisted and encouraged the rebels. But the moral of this precedent was inverted by

success. The party aided by the English ambassador was now dominant in Scotland. According to his own story, "In the end the lords said, 'We perceive you will make no other answer, and therefore you must be handled accordingly; and first shall be sent to the Tower to close prison, where the pinches or racks will cause you tell another tale; and lastly, you shall be made example to all other Papists or false Scots to attempt the like in time to come.'" At the Tower he was "placed in a prison called the Bloody Tower—a very evil-aired and infected house, where no man of honest calling had been kept many years before, with close windows, and doors with many locks and bolts, which were torment sufficient enough for any living man that had been all his days at liberty."

Meanwhile the searching of the Duke of Norfolk's house produced an affluent prize in explanatory documents. A message was brought to the bishop, on the part of Queen Elizabeth, that all was known; that the heads of the conspiracy, all then in the Tower with himself, had uttered and subscribed full confessions, which would be read over to him if he desired. If he also would make a clean breast, it could injure no one, and would be all the better for himself and his mistress. The queen considered that there were practices which might be passed over in his case, "considering sundry things that might have moved him thereto that her own subjects could not pretend for their excuse." It was a mild offer, influenced apparently by Elizabeth's sympathy with his devotion to his mistress. On the other hand, if he refused to speak out, he should be dealt with as if he had been a native Eng-

lishman, and put on trial for treason. He made an explanation, which he dexterously limited to the facts confessed or testified by others; and according to the promise made, he was permitted to depart in peace, nourishing the suspicion that this liberal usage was entirely designed to gain him over to Queen Elizabeth, and induce him to make further revelations. A few days after Norfolk was beheaded, certain eminent persons—Lord Delaware, Sir Ralph Sadler, Sir Thomas Wilson, and Thomas Bromley—were sent to Queen Mary, as we are told, "to expostulate with her by way of accusation." Camden gives the purport of their expostulation, and it may suffice for a clear and compendious abridgment of the whole case against her as plotting mischief to the existing Government of England: "That she had usurped the title and court of the crown of England, and had not renounced the same, as was agreed upon in the treaty of Edinburgh. That for the full possessing herself thereof she had treated of a marriage with the Duke of Norfolk without acquainting the queen therewith; for the consummation whereof, and for freeing the duke out of the Tower by force of arms, she had used all methods possible by her ministers. That she had raised a rebellion in the north; relieved notorious rebels in Scotland and Flanders; petitioned for a foreign aid from the Pope, the Spaniards, and others, by Rudolphi, an Italian, in order to invade England; and conspired with certain of the English who should free her out of prison, and declare her Queen of England. That she had received letters from the Pope, wherein he promised to cherish her as a hen does her chickens, and to esteem them true sons of the Church who

should stand by her. Lastly, that she had procured the Pope's bull against the queen, and permitted her party in foreign parts to style her publicly Queen of England."[1]

The "Pope's bull" was that act of excommunication which, to the horror, astonishment, and wrath of Protestant London, was found attached to the gate of their bishop's palace by some audacious unknown hand, like the mysterious citations of the old secret tribunals. With a protestation that she was "an absolute sovereign," and not bound to answer questions, Mary gave a denial to each article. On the assumption of the arms of England, and the never ratifying the treaty of Edinburgh, she said it was her husband, the King of France, not she, who had assumed the arms; and "that she had neither borne them since her husband's death, nor would challenge them as long as Queen Elizabeth or her children lived." This was exquisitely in keeping with her subtle policy on this matter. She will not do an act personally offensive to her royal sister or her royal sister's children. But she commits herself to no admission of Queen Elizabeth's title. It is one of the strongest examples of the united subtlety and tenacity of Queen Mary's character, that through all her trials and difficulties she never admitted, either under her hand or in any formal shape, that Elizabeth was the rightful Queen of England. It was a corollary to this, that she gave no occasion to the foreign potentates—to the Pope and King Philip especially—to act as if she no longer claimed the crown of England as her own.

Looking to the other queen, it is interesting to ob-

[1] Kennet, ii. 442.

serve, that for all the desperate plotting of which the Bishop of Ross was the master, he commended himself still to her by his devotion to her enemy. It seemed almost as if Queen Elizabeth had felt the want of such devotion to herself. Afterwards, when the Castle of Edinburgh was rendered, Morton, becoming supreme in Scotland, demanded that the bishop should be handed over, to be dealt with by him as a traitor. Queen Elizabeth's answer was: "He hath been an evil counsellor and doer in divers things here in this our realm, both against us and that realm also; yet he hath also opened so frankly and sincerely those evil dealings and counsel whereof he was privy and party, and did afterwards appear to be wholly true, and bereft by others, that we cannot well condescend to deliver him to any extremity; but we rather wish that you would be content to let him enjoy such benefit and grace at your hands as others hath obtained, and that you would suffer him to have his living again in Scotland, as you have done to others, if he shall submit and conform himself to your good orders, as others have done who were as great enemies and offenders as he."[1]

When a few months later the whole island was ringing with the news of the great tragedy in Paris, it was natural that in England at least it should be at once connected with the revelations of the Rudolphi affair. A sudden blow was to be struck against the new Church—such was the tenor of the revelations; and far from exempting England, these revelations made that country the chosen theatre of the performance. When the projects so plotted in secrecy came suddenly

[1] Hopetoun MS.

into action in Paris, this was naturally set down as the opening scene of the great tragedy; the others might come in London, in Edinburgh—wherever the new faith had existence and could be extirpated.[1] For eight years the Catholic powers had been organising the plan; and Queen Mary was one of the chief plotters, having for her colleagues the Pope, Philip of Spain, and Catherine of Medici—such was the belief of the Protestant world, and the mysterious meeting at Bayonne gave it place and circumstance. As we have seen, rumour was wrong, since Catherine of Medici did not think the course proposed a prudent one; but what she had now done justified the conclusion that the blow struck at Paris in 1572 had been planned at Bayonne in 1565. For these rumours and terrors there was so far a foundation in the existence of those elements of combination, whence grew up the formidable Catholic league which threatened to drive the house of Valois from the throne as not sufficiently zealous for the Popedom. Hence at this juncture the acts of every Protestant community must be interpreted as done under a reign of terror. It is apparent

[1] The chief printed authorities for the story of Rudolphi and the Bishop of Ross will be found in the bishop's own account "of his whole charge and proceedings during the time of his embassage, from his entries in England on September 1568, to the 26th of March 1572," Anderson's Collection, vol. iii.; in the early part of Murdin's State Papers; and in the trial of the Duke of Norfolk, State Trials, i. 958. Connected as it is with Norfolk's treason and the rebellion of the northern lords, the affair belongs much more to English than to Scottish history. No attempt has therefore been here made to do more than merely to sketch the bishop's part in the business, as connected with the projects in favour of Queen Mary, and incidental to the events presently afterwards occurring in Scotland. For a full tracing of the affair through its dark complexities, reference must be made to the picturesque narrative in Mr Froude's tenth volume, enriched and completed as it is by contributions from foreign manuscripts.

through all the diplomacy and government action of the period, that when a strong step is necessary, the preamble or justification for it is a reference to the dangers of the times.

It was especially under the influence of this feeling that early in September, and close on the reception of the news about the massacre, Henry Killigrew was sent to Scotland. He was to represent "that the bloody massacre of Paris was executed by the joint contrivance of the Pope, the French king, and the Spanyard, for the utter extirpation of the Protestants." He was to warn both parties to expect a force under Strozzi, and a contest with foreigners, the end of which would be pleasant to neither of them.[1] Along with this open mission, in which he was to deal with all parties, another duty of a more mysterious character was committed to Killigrew; it concerned the dealing with the Queen of Scots, and demands a little introductory explanation. On the occasion of the great revelations, the English Parliament had attempted to solve this difficulty. On the 12th of May the journals bear that a committee of the Lords was appointed to hold a joint conference with certain members of the Commons "for the more speedy and better direction of them in the great matter touching the Queen of Scots." On the proceedings of both Houses, too, it is to be traced that a bill had passed them "touching Mary, daughter and heir of James V., late King of Scotland, commonly called the Queen of Scots;" but as no further traces are to be found of such a measure, it has been supposed that Queen Elizabeth desired that it might drop, and not be brought up for the royal assent.

[1] Camden in Kennet, ii. 448.

According to Camden, the purport of it was, "that if the Queen of Scots should again offend against the laws of England, she should be proceeded against by law as if she were the wife of an English peer."[1] Convocation discussed the question; and a deputation of bishops attended the queen, exhorting her to do justice on the common adversary, though they do not seem to have suggested the form in which it was to be accomplished.[2] Elizabeth's determination seems to have been, that as she had protected the fugitive queen from the fate awaiting her in Scotland, she should protect her no longer. Secret instructions were given to Killigrew, with the usual preamble about "the late horrible universal murder in France." According to Queen Elizabeth's usual formula, he was to act in this matter "as from himself," and was even to go a step further, and get the action "from himself" prompted by the other party. He was to say that if they made an earnest appeal to the English Council, "there was some likelihood to think" that in the present juncture of affairs Queen Mary might be delivered up to them.

"It is found daily more and more that the continuance of the Queen of Scots here is so dangerous, both for the person of the queen's majesty and for her State and realm, as nothing presently is more necessary than that the realm might be delivered of her; and though by justice this might be done in this realm, yet for certain respects it seemeth better that she be sent into Scotland, to be delivered to the regent and his party, so as it may be by some good means wrought that they themselves would secretly require it, and that good assurance may be given, that as they have here-

[1] Parl. Hist., i. 779; Camden in Kennet, i. 436. [2] Froude, x. 360.

tofore many times, specially in the time of the queen's former regents, offered, so they would without fail proceed with her by way of justice, so as neither that realm nor this should be dangered by her hereafter, for otherwise to have her and to keep her were of all other most dangerous."[1]

That there was a treaty for removing Queen Mary to Scotland, and that if in terms of such a treaty she had been put into the hands of the regent, she would not have been permitted long to live, are two propositions which may safely be inferred from documents already commented upon. A further conclusion has been drawn, that she was to be secretly put to death. This has, however, only been reached by inference from dubious sentences in the correspondence. Whenever its announcements are distinct, they point to a public trial. Among the mysteries there is, for instance, a passage about hostages which sounds strangely. In the supposition of an application being made by the Scots Government, the anticipated result is, that "it might at this time better than any time heretofore be brought to pass that they might have her, so as there might be good surety given that she might receive that she hath deserved there by order of justice, whereby no farther peril should ensue by her escaping, or by setting her up again. For otherwise you may well say that the Council of England will never assent to deliver her out of the realm; and for assurance none can suffice but hostages of good value—that is, some children or near kinsfolks of the regent and the Earl Morton."[2]

If this condition as to hostages pointed to the sup-

[1] Murdin's State Papers, 224, 225. [2] Ibid., 225.

posed conclusion, its meaning would be, that if the Scots failed to put Queen Mary to death, Queen Elizabeth might put the hostages to death; and the question just comes to be, whether such an alternative was not something too preposterous and indecorous even for that age? One passage in the correspondence of the ambassador has been supposed to point distinctly at assassination because the word "secret" occurs in it. The ambassador tells how, on a meeting with the regent and Morton at Dalkeith, "the Earl of Morton raised himself in bed, and said that both my lord regent and he did desire it as a sovereign salve for all their sores; howbeit it could not be done without some manner of ceremony, and a kind of process, whereunto the noblemen must be called after a secret manner, and the clergy likewise, which would ask some time." Whether secretly convoked or not, an assemblage such as this refers to would be unusual tools for the accomplishment of a secret assassination; and the remainder of the correspondence shows that the extent of the "secret" dealing was, that "the great matter" was not to be the ostensible reason for assembling the Estates. Speaking of the regent, Killigrew concludes: "Thus took I my leave of him, and find him indeed more cold than Morton. The Parliament, some think, may be called upon a sudden, and as it were for some other cause, ere they can proceed by order of justice; for although she be condemned as worthy of her demission, and art and part, as they termed it, of the murther of her husband, yet was she not judged to die for the same. Whether this be an excuse to delay time, I leave your honour to judge. But sure I am that most part of the nobility,

and all the burrows and ministers, would be right glad of it."[1]

Nothing is said of this project in contemporary narratives, and in the correspondence that has come down to us it dies away. How the arrangements about it came to nought is as difficult to tell as what they actually were. It may only be inferred from the tone of the correspondence that Queen Elizabeth thought there was too much fuss and publicity about the execution of the project, and too little of that doing things as "from themselves" which she liked so well in her friends and her servants.

Killigrew was very successful in his ostensible mission. He brought the Hamiltons and the old queen's party to terms. Of the Hamiltons, both the head and heart had gone with the archbishop. The duke was now an old man; in his early prime he had almost made a reputation by the power of his inertness, and now he was dwindling into oblivion. There can have been little difficulty with Huntly, Argyle, and the other members of the old queen's party; they seem to have been stricken and unnerved by the horrors of the news from Paris, just as their opponents were strung to exertion by them. Huntly was the last to come to terms. On the 27th of February 1583, we are told that he "hasted home to stay his brother"—that is to say, to check the destructive career of his brother, who

[1] Cotton MS., Caligula, c. iii. 373. The concluding passage in this document creates some verbal confusion by putting the person to be dealt with in the male sex: "Also that it would be requisite her majesty should send such a convoy with the party, that in case there were people would not like of it, they might be able to keep the field; adding further, that if they can get the nobility to consent, as they hope they shall, they will not keep the prisoner three hours alive after he come into the bounds of Scotland."

had just been harrying the Frasers and Forbeses; and this was the conclusion of the old queen's party.[1] It thus came to pass that by her handiwork on that day of St Bartholomew, the Florentine woman accomplished an object which probably she did not foresee—the ruin of that queen whom she had so hated as her son's wife.

By a strange combination of events, the only body now determined to stand by Queen Mary were those who, led by the late converts to her cause—Lethington and Grange—occupied the narrow portion of her old dominion, on the top of the castle rock of Edinburgh. In vain they were summoned to surrender, and appealed to by Drury, the regent, and some of their deserting allies of the queen's party. As there was scarcely now a queen's party, a name had to be found for this isolated body, and they were called "the Castilians."

Lethington was still the great inscrutable; but Grange's motives admit of a simple and sad solution. It was all over with him and his great project; he must have seen that it was a mighty blunder. In the wreck he had made, some possessions not worthless still remained to him—his bravery and his endurance. If he could no longer use these qualities for the benefit of his country, or even for the hopeful furtherance of his newly-adopted cause, yet they might be available for a purpose of his own—they might in some measure be so used as to preserve his name from infamy. He had turned against the cause in which he had embarked, the very weapons put into his hands for its defence. He would now prove that his fall came not

[1] Diurnal of Occurrents, 527, 528.

from treachery of nature, but from conviction and conversion—at the worst, from waywardness. And so he chose his part. He was so placed, that had he readily accepted the offer of reconciliation, he must have lost the last rag that covered his name from infamy. To the Hamiltons, Huntly, Maxwell, and all the others who had been steady friends to the queen's cause, there was an honourable escape from their evil position, but none for him.

CHAPTER LVI.

Regency of Morton.

(Continued.)

END OF THE TRUCE, AND RECOMMENCEMENT OF THE WAR—LETHINGTON AND GRANGE IN THE CASTLE OF EDINBURGH—A PARLIAMENT IN THE TOWN—ENGLAND COMMITTED TO THE KING'S PARTY, AND AID SENT—THE SIEGE OF THE CASTLE—THE CAPTURE AND DESTRUCTION—FATE OF GRANGE—THE STORY OF KNOX'S PROPHECIES—LETHINGTON'S END—MORTON, AND THE COMPLETION OF HIS POWER—QUIETNESS IN THE COUNTRY—THE YOUNG KING—HIS TRAINING AND HIS TEACHERS—BUCHANAN AND YOUNG—BUCHANAN'S PROJECTS FOR THE REARING OF A PERFECT MONARCH—THEIR RESULT—MORTON AND ECCLESIASTICAL AFFAIRS—CONDITIONS OF THE RETENTION OF THE OLD HIERARCHY—THE HUGUENOT AND THE PURITAN INFLUENCES—JOHN CRAIG—ANDREW MELVILLE.

THE truce or abstinence, which was at first to last for two months from the 1st of August, was continued by short additions to the end of the year, when the war again began, while Killigrew was bringing his negotiations with the queen's party to a conclusion. As a minute journalist of the time tells us, "Upon the 1st day of January, at six hours in the morning, there was ane piece of ordnance shot off the castle wall in warning that truce was outrun and given up."[1] Thus

[1] Diurnal of Occurrents, 323.

bravely Grange took the initiative. The contest was to recommence under conditions very different from those in which it had been suspended. The castle was then the citadel of a fortified town under the command of its governor. If parties had stood as they then were, the truce would not have been of equal influence to both, since the town of Edinburgh was opened to the king's party, those citizens who had been driven forth having returned to their homes. But after the surrender of the old queen's party, this was of no moment; for Grange's garrison hardly sufficed to man the castle, and he could not have attempted to hold the town.

Grange's guns did much mischief among the buildings within their range; but it was significant of his waning strength that the king's party held a Parliament close at hand. Before the truce, as we have seen, the Estates felt it prudent to abandon the suburb of the Canongate; but now they met in safety in the Tolbooth, finding a passage safe from the reach of the guns through that Church of St Giles which their enemies had fortified and garrisoned. The Estates assembled in the middle of February. The "honours," as we have seen, were in possession of the Castilians, who were called on to render them up, but naturally refused to do so. The Estates, however, continued to assume the external semblance of their old pomp. Angus carried the crown, Argyle the sceptre, and Morton the sword; but we are told that these symbols "were made of brass, and double overgilt with gold, because the principal jewels were in the Castle of Edinburgh, and might not be had."[1] The

[1] Diurnal of Occurrents, 324.

proceedings of this Parliament related chiefly to ecclesiastical matters to be dealt with farther on. An Act of Indemnity was passed for the security of those of the queen's party who had conformed, naming especially the Earls of Argyle, Eglinton, and Cassilis, and the Lords Boyd, Maxwell, and Herries. By another statute the property of all citizens who had remained in Edinburgh during the war as adherents of the queen was made convertible into a fund for indemnifying the citizens of the king's party who had suffered loss by the destruction of their houses or in other shapes.[1] The minor casualties of war told against the castle party. The grudging aid sent to them by France was intercepted. It was in two vessels, one of them containing a considerable sum paid to the account of Queen Mary's French dower. It was commanded by Grange's brother, James Kirkcaldy, who was to land with it under the protection of the fortress of Blackness, on the south shore of the Firth of Forth. When he reached that spot, however, he found that instead of being received and protected in a friendly fortress he had stepped into a hostile prison. The story of the day was, that he was caught in a trap cleverly laid by James Balfour. This deep and versatile plotter, called by Principal Robertson "the most corrupt man of his day," had, as we have seen, been dislodged from Edinburgh Castle as suspected, and gave way for one who carried out the worst suspicion that had been laid against himself. Balfour had a hankering after the queen's cause so long as there might be any chance of success in it; but Morton was not a man to tolerate alternatives, and

[1] Act. Parl., iii. 74 *et seq.*

Balfour was compelled to declare himself. The regent could hang over his head charges of crime to any amount that might be desirable, and Balfour had to offer a large sum as "composition" or hush-money on being received to pardon and favour. He resolved, however, to pay his penalty out of the enemies' purse. Acting the part of a zealous member of the queen's party, he told James Kirkcaldy that he had prepared Blackness for the reception of him and his treasure. He warned Kirkcaldy especially against taking it to any northern strength; for there it would fall into the hands of Huntly, and would be lost to the service of the castle and of the messenger's own brother. To make appearances complete, a small garrison was detached from the Castle of Edinburgh to hold Blackness Castle. It was said that Alexander Stewart, who commanded them, had sold his services to the king's party. However that may be, a larger party surrounded the landing-place, and any resistance to them was useless. Balfour asked the regent if he would abandon the composition on receiving a larger sum otherwise; and as this seemed a reasonable bargain, he accepted it, and so, by handing over the intercepted treasure, Balfour saved his own money. Such is the story of a contemporary journalist.[1]

But a more desperate difficulty was at hand. Queen Elizabeth had to bend to the importunities of her advisers, and England was to strike the one solid blow that was necessary.

There were two points on which Queen Elizabeth had been ever obstinate in her stand against her sage advisers. She would not countenance subjects in dispute with their sovereign, and she resisted the expendi-

[1] Bannatyne, 297.

ture of money. Over and over again was it shown to her how the expenditure of a few thousand pounds would make Scotland the ally of England, and ever there was resistance or some niggardly dole. The two points of resistance to those servants, who in some measure were her masters, had a hidden connection with each other. It was Queen Elizabeth's delight to consider herself an absolute monarch, whose will it was alike unnatural and criminal to question. In her fancy she was enthroned apart, administering fate to her people like a Semiramis or a Zenobia. But, like many humbler mortals who have nourished pleasant dreams, she shrank from committing her divine right to the rude ordeal of practice. It was pleasanter not to have asked a subsidy than to have been refused it, or have got it with a grudge. Hence for ordinary purposes she had driven her ministers to raise loans on hard conditions in the city, making a parallel with the youth who tries every other resource before he goes to his parent for the money he finds that he requires. As to Cecil and the other advisers, there is little doubt that they would rather have gone to the legitimate quarter and faced a Parliament. It was not only that they needed money, but a little bit of constitutional action might have relieved them of a minor difficulty—the protracted furtherance of a practical lie which might any day meet with such an awful contradiction as it received sixty years later. They knew that they lived in a country with a constitution; and yet they had to support their mistress in the delusion that she was absolute, and that the government of the realm was a pure despotism. When such a crisis was at hand, that all religious liberty and the very existence

of England as an independent State was to be put in peril for this delusion, Cecil lost patience and heart. It appeared that if the queen remained obstinate, the services of that zealous and sagacious pilot who had steered the State through so many storms would no longer be available to her. What a loss that would be to one side may be estimated by the value laid on his services by the enemy, who were then plotting against his life in the belief that everything else would be easily conquered if Cecil alone were removed from the heretic queen's side.

On the 1st of April a body of pioneers from England arrived at Leith, and began to make gabions, or large hampers to be filled with earth—a handy material for the construction of temporary ramparts. It was then of recent discovery, and is one of the few munitions of war that have remained from that time to the present almost unchanged. Three days afterwards there was a brief truce, in which a last and vain effort was made to bring the garrison to such terms as their opponents would grant. On the 28th, Drury, who was to command the operations, arrived at Leith with five hundred musketeers and one hundred and forty pikemen.[1] The number finally brought into the field was two thousand. Of these the contribution from England was fifteen hundred. That Scotland should only have furnished five hundred trained soldiers on so critical an occasion, sadly shows how the male population had been drained off by the war. For the citizens of Edinburgh, even after the strange events that had closely pursued each other during the past thirty years, there was a novelty in store. An English army

[1] Diurnal of Occurrents, 330.

was to occupy their city, not as enemies, but as friends and protectors. In 1544 Hertford had burned all the wooden dwellings, and of the stronger buildings had scarcely left one stone above another. Whatever had been done to restore the city in the three years between that invasion and the battle of Pinkie, was left uninjured by Somerset, who took praise to himself for his moderation. The town then, such as it was in 1573, must have been newly built over the ruins left by Hertford. A small number of the existing houses in the old town may be as old as this period, and, as new fashionable hotels on the Parisian model, may have witnessed the siege. Even then the town had strayed beyond the wall built round it after the defeat at Flodden. Excepting, however, the Canongate, the dwellings beyond the wall were chiefly country houses built for defence, as every dwelling whose owner could afford to fortify his household then was in Scotland. The Canongate was a town in itself, stretching from the east end of the city to the Palace and Abbey of Holyrood. Peculiar among cities for variety of surface and remarkable geological features, the outline of the city of Edinburgh at this juncture can be easily traced and realised to any one who is even but casually acquainted with the existing town. The wall passed southward from the castle esplanade down to the West Port, at the west end of the Grassmarket, and then mounted the steep ascent towards Lauriston. A characteristic fragment of it, with one of the small towers which flanked it here and there, may be seen in the boundary wall of the grounds of Heriot's Hospital. Here it turned at a right angle and passed eastward, having to the north the ground then occu-

pied by the ruined buildings of the Kirk-of-Field, and now by the College. On from this it passed the back of the Infirmary, where a fragment of it remains. There was, after many sinuosities, a second turning at right angles, when the wall took the line afterwards marked by St Mary's Wynd and Leith Wynd, being pierced by the Canongate Port, separating the end of the High Street from the suburb of the Canongate. On the north side was the loch, filling the valley where the Princes Street Gardens and railway works now are. This piece of dirty water, and the steepness of the ascent from it, combined to make natural difficulties on that side, and to render much building unnecessary.

The castle, as it then was, had little resemblance to what we now see, although the conspicuous character of its rocky site would always neutralise in great measure the peculiarities of whatever work of man's hands were laid on it. The platform of the rock was not so completely covered with buildings as now. It may be questioned if any portion of the fortress then besieged is now in existence. Undoubtedly, by any of those architectural tokens which mark their own date beyond dispute, no part of the existing castle proves itself to be older than this siege; and this is made all the more distinct as to the fortress itself by the emphatic way in which the small Norman church within the walls proclaims its age in its architecture. Foundations and fragments of wall there may be overbuilt by new works, but of those completed buildings which bear the marks of their age in decorations and other tokens of an architectural school, there is nothing carrying us back before the siege. One great square block, called David's Tower—the

donjon or barbican of the fortress—presided over the other buildings. These appear to have been of a like structure—tall, narrow, stone buildings, like the square towers so profusely scattered over the country.

In everything connected both with the defence and the attack of fortified places, Scotland was at that time behind the age. There were men who could perform a rapid feat of agility and audacity, like the capture of Dumbarton; but the science of the military engineer was not among the possessions of the Scots. As every one knows, improvements in the art of defence follow invention in the art of attack and destruction—there is never occasion for remodelling a fortress that is impregnable to all that the engineering of the age can bring against it. It followed, from this order of precedence, that the Scottish fortresses were strong against native attacks, but easily taken by assailants trained in a higher school of engineering—such as that of Italy or Spain. England was behind these countries, yet far in advance of Scotland.[1]

The progress of the art of attacking and defending fortified places was on a parallel principle with that of war in the open field. In both there was a reaction against the effort after the absolutely impregnable, which had been for centuries the aim of military inventors. Against it gradually grew the principle which inspires the military art of the present day—that

[1] The correspondence of the English during the siege of Leith in 1560, treats with much disparagement the capacity of the Scots in this branch of warfare. Ten years later, Sir Robert Constable, when describing the capture of Hume Castle with a garrison of two hundred and forty, says: "Surely, my lord, if I had had the charge with fifty soldiers, I would have thought me worthy to have been hung, drawn, and quartered, if I had delivered it within the month's siege."—Lodge's Illustrations, i. 509.

ultimate success in warfare lies in the power of slaying the enemy, rather than in the capacity to preserve life from his assaults. The man-at-arms was dropping by degrees the heavy iron scales in which he was encased, that he might more nimbly ply his weapons of assault. So the fortresses were coming down from the heights where, while they were inaccessible, they could injure nothing, and were meeting the enemy in broad horizontal works. The system of fortification called after Vauban, who brought it to its climax, had now thoroughly superseded the tall Norman towers in many parts of Europe, but chiefly in the countries washed by the Mediterranean Sea, and in the Netherlands. For the old projectiles, which did little beyond merely dropping their missiles, height was everything. While the assailants were battering in the door under the cover of a wooden roof, the besieged dropped a stone, which shattered that roof to splinters. But with cannon sending a ball for a mile horizontal with the ground a different structure was appropriate. The ball sent from a height strikes only what lies between it and the earth over a space more or less according to the angle of inclination. A ball sent horizontally sweeps all before it, according to its strength and range. At that time, indeed, height was almost less available than at present, since the shell which scatters destruction round the spot where it is dropped had scarcely come into available use.

The garrison of the castle endeavoured so far to adapt it to the new engineering, that they raised a spur or redan of turf on the flat slope communicating with the High Street. This would have been their strongest point had they known how to fight it. Un-

fortunately, from its position, it was better suited for injury to the town than the defence of the garrison. Before it was met by a counter-work it had done much mischief among the houses nearly on a level with the castle, while the balls from the higher buildings dropped on the lower parts of the town with little effect. When the siege-works were completed, one battery fronted the spur or redan. Behind this there were traverses for the protection of the city from the fire of the castle: "At what time also the Tolbooth and the church was fenced with a rampier, forced of turfs, fagots, and other stuff fit for that purpose, whereby the lords of the Parliament did as safely assemble and sit in the Tolbooth, and the people went as quietly and safely to the church to hear divine service, as they at any time did before the wars began, and before that the castle was besieged."[1]

Batteries, with gabions between the guns, were placed according to the facilities afforded by the nearest elevations, the availability of which was increased by raising artificial mounds on them. Of these, one stood on the elevated ground towards the south occupied by Lauriston and Heriot's Hospital; another farther to the north-west, probably about midway between Port Hopetoun and Princes Street. Another stood nearer to the west end of Princes Street, and other two round to the north, pretty nearly on the line of that street. Thus six batteries made a circuit round the castle as complete as the position of the available eminences permitted.[2]

[1] Holingshed, continuation, 411.

[2] Survey and Journal of the Siege of the Castle of Edinburgh; Bannatyne Miscellany, ii. 65.

The guns on these batteries pounded on the stone buildings of the castle, making great breaches and knocking away the guns. The great keep—David's Tower—was shattered to pieces, and large masses of it falling, obstructed the defensive operations, and stopped the only available supply of water. On the 26th of May an assault was made on the spur, and it was taken. If the small garrison had retained any hopes down to this time, these were now dispersed. A parley was requested, and Grange, Sir Robert Melville, and the Laird of Pittarrow were let down from the castle with ropes to treat for a surrender. But no terms could be obtained for the leaders—especially for Grange, who had broken his faith, and for Lethington, who had counselled and assisted him in the act. On his return the captain found that the choice of holding out was no longer in his hands—his garrison would no longer obey him. Desertion and mutiny, like many other evil things, must be judged by the surrounding conditions. The garrison were in the hands of a desperate man, to whom the privileges of those who are beaten in fair warfare were denied. In this last extremity a stroke of policy was attempted. The captain went forth on the 29th and rendered himself, not to his own countryman Morton, but to the English general. The party were to be in the hands, not of their Government, which would treat them as deserters or traitors, but of the English invader, with whom they were at fair war. The surviving garrison—about a hundred in number—were now relieved; while the leaders were received within Drury's quarters, and there preserved to abide the result of instructions from London. Grange and Lethington wrote a joint

letter of appeal to Cecil on the ground of old co-operation and friendship—an appeal so urgent and pitiful as to be scarce in harmony with the heroic reputation of Grange.[1] The decision of the English queen, in a letter by herself to Morton, simply was: "For the prisoners taken in the Castle of Edinburgh, who have been the chief disquieters of that realm,—seeing the offences done were done in our cousin the king's realm, and against him and his laws, we refer the judgment and ordering of those matters to him and to the laws of that realm, except only for Robert Melville, whom we have known heretofore to have dealt very sincerely with us." She cannot think that he has fallen away from all his fair promises, and asks that favour be showed him and no extremities used in the mean time.[2]

This judgment has been treated as a cruel abandonment of the unfortunate Grange to his bitter personal enemy; but though this was its effect, any decision by Queen Elizabeth taking the disposal of the prisoners into her own hands would have been an interference with the internal affairs of Scotland, and might have changed the character of the whole transaction as a mere temporary assistance to the Scottish Government to enable it to restore order. There were many and urgent appeals to Morton to spare him, but in vain. He was hanged at the market-cross of Edinburgh on the 3d of August. The ignominious death of the felon has ever seemed a hard fate to befall one who, for all his flagrant errors, had adorned life with so much heroism and courtesy—but it was the fate of the deserter. Whether it was that the latent resolution

[1] Cited, P. F. Tytler.

[2] Hopetoun MS.

was planted in his heart by the syren when she chose to surrender to him, or Lethington's subtle logic mastered his judgment, or he really believed it to be his duty to change sides and hold the castle against those who had put it in his hands, is a mystery. But for men who follow such desperate courses, it is ever the bargain with fate, that they know what it has in store for them, and that it is on that knowledge that their claim for the reputation of magnanimity is founded. If the amount of mischief done or spared by the act could be pleaded, the balance stood terribly against him; and yet we must believe in the high qualities assigned to him by his friends, one of whom has told us his character in the following beautiful sketch:—

"He was humble, gentle, and meek—like a lamb in the house, but like a lion in the field. A lusty, stark, and well-proportioned personage, but hardy and of a magnanym courage; secret and prudent in all his enterprises, so that never ane that he made or devised mislucked when he was present himself. And when he was victorious, he was very merciful and naturally liberal, and enemy till greediness and ambition, and friend till all men in adversity, and fell oft in trouble to debate innocent men from such as would oppress them. So that these, his worthy qualities, were also partly causes and instruments of his wreck; for they promoved him so in the opinions of many, that some loved him for his religion, uprightness, manliness; others, again, depended upon him for his good fortune and apparent promotion, whereby divers of them hoped to be advanced and rewarded, supposing that honours and offices could not fail to fall to him—whilks all he wanted in his own default; for he fled

from avarice and abhorred ambition, and refused sundry great offices—even the office of regent—and benefices and great pensions. So, wanting place and substance to reward, he was incontinent abandoned by his ambitious dependers so soon as they saw him at a strait, and drew then to such others as they perceived to shoot at more profitable marks. Thus he was as mikel envied by them that were of a vile and unworthy nature as he was beloved by all honest men."[1]

While the citizens of Edinburgh beheld their formidable enemy hanging from the gibbet, a strange passage between him and one who had recently passed from them stirred their minds with a curious awe. When Knox was in St Andrews he received a visit from his old friend David Lindsay, minister of Leith. They had some talk about the events of the day, which naturally centred on Grange and the castle, when Knox said: "Well, brother, I thank God—I have desired all this day to have you, that I may send you yet to yon man at the castle, whom ye ken I have loved so dearly. Go, I pray, and tell him that I have sent you to him yet ance, to warn and bid him, in the name of God, leave that evil course, and give over that castle; if not, he shall be brought down over the walls of it with shame, and hang against the sun: so God has assured me." Lindsay went to the castle and delivered his message. He thought Melville was somewhat moved, and Grange a little; but Lethington delivered his opinion of Knox and his prophecy in two words—the one a substantive, the other a predicate. The substantive word was "pro-

[1] Sir James Melville's Memoirs, 258.

phet;" but the other is of a class which modern taste excludes from print, and it must be sought in the original authority.[1] Knox repeated the prophecy in the pulpit, with the addition that the castle would "run like a sand-glass;" and on his friend Robert Hamilton expressing himself sceptically, the prophet said, vehemently, "Thou that wilt not believe my warrant will see it with thy eyes that day, and shall say, 'What have I to do here?'" And now behold the sequel. Hamilton and his servant were present at the rendering. They saw "the forework of the castle all demolished, and moving like a sandy brae; they saw the men of war all set in order, the captain, with a little cut of a staff in his hand, taken down over the wall upon the ladders: and Mr Robert, troubled with the throng of the people, says to his man, 'Go, what have I ado here?' and in going away, the servant remembers him of that sermon and the words: wha was compelled to glorify God, and say he was true prophet."

When Grange was a captive, the same David Lindsay who had taken Knox's message went to him again. He was one of those who interceded with Morton, being commissioned to offer him Grange's whole means and estate, and an obligation by his beaten enemy to become an exile, backed by "a band of manrent" signed by all his friends; but Lindsay had, like others, to bring a hopeless answer. It then appears that Grange grew pious and penitent, and laid much store by an expression of Knox, implying that there was yet salvation for him, but none for the Mephistopheles who had led him astray: "For the one, I am sorry that so should befall him, yet God assures me there is

[1] Diary of James (not *Sir* James) Melville, 34.

mercy for his soul; for that other, I have no warrant that ever he should be well." Meditating on these things, Grange expressed to his visitor a hope that when to others it should seem that all was over, he might give his friend "a token of the assurance of that mercy" of which the man of God had spoken. How this was fulfilled cannot be otherwise told than in the narrator's strange and touching words: "So about three hours after noon he was brought out, and Mr David with him; and about four, the sun being west about the north-west neuk of the steeple, he was put aff the ladder, and his face first fell to the east, but within a bonny while turned about to the west, and there remained against the sun; at whilk time Mr David, ever present, says he marked him, when all thought he was away, to lift up his hands that were bound before him, and lay them down again softly, whilk moved him with exclamation to glorify God before all the people." [1]

The comments of a philosopher on this strange story would perhaps be, that the worldly wisdom of Knox might tell him what Morton would do when victorious, and also that he was a man to be victorious in such a struggle; but to feel and know the nature of the times, it is well to have such stories as they are originally told.

The other leading spirit passed away in a different fashion, and was followed by far less sympathy. Lethington was found dead after the surrender: it was supposed that he had poisoned himself, or, as Sir James Melville says, that "he took a drink, and died as the old Romans were wont to do." [2]

[1] James Melville's Diary, 33-36. [2] Memoirs, 256.

According to an old feudal usage, his dead body was preserved, that justice might be done on him. The custom seemed strange and barbarous, but it was founded on rough notions of high justice. A man might be said to be dead when he was alive, and the tribunals might thus forfeit his property for crimes charged against him without affording him a hearing. When the dead body was produced in court there could be no question of the death. When Elizabeth sent her answer about Grange, however, she commented on this practice, saying, "It is not our manner in this country to show cruelties upon the dead bodies of unconvicted, but to suffer them straight to be buried and put in the earth."[1]

In connection with his first appearance upon the stage of history, some conjectures were offered as to the spirit that seemed to animate his strange and wayward-looking policy. The reader has had a fair opportunity of estimating how far they are authorised. He was charged with atheism; but that he denied, saying, "I have been brought up from my youth and instructed in the fear of God, and to know that He has appointed heaven for the habitation of His elect, and also hell for the everlasting dwelling-place of the reprobate." He complained bitterly that Knox had slandered him in charging him with saying "that there is neither heaven nor hell, and that they are things devised to fray bairns, with other such language tending to the like effect, unworthy of Christian ears, to be rehearsed in the hearing of men; which words before God never at any time proceeded from my mouth, nor yet any sounding to the like purpose, nor whereof any

[1] Hopetoun MS.

such sentence might be gathered."[1] Knox died before he could reply to this denial, and so left a controversy full of interesting promise unfinished.

If this man's character remains a mystery, it is not for want of ample comment on it by his neighbours. These comments are more full of fear and wrath than of affection. In a lampoon attributed to Buchanan he is typified as the Chameleon: "For what thing ever it be appliat to, it seems to be of the same colour, and imitates all hues except only the white and red; and for this cause ancient writers commonly compares it to ane flatterer, whilk imitates all the whole manners of him he fains himself to be the friend to, except white, whilk is taken to be the symbol and token given commonly in device of colours to signify simpleness and loyalty, and red signifying manliness and heroical courage."[2]

[1] Bannatyne's Memorials, 415.

[2] "Chamæleon, written by Mr George Buchanan against the Laird of Lidingtone;" Miscellanea Scotica, 1818, vol. ii. This edition professes to be "from the manuscript in the Cotton Library." There is a manuscript of the Chamæleon there, but it is not in Buchanan's handwriting. The title of an edition in 1710 is, 'The Chamæleon, or the Crafty Statesman; described in the Character of Mr Maitland of Lethington.' This little piece has a strong family likeness to the "Detection," especially in piling crime over crime up to a classical climax. Take the following specimen: "After the death of the king, devised by him, execute by the Earl Bothwell—for fear of the said earl he lurked a while out of Court, until the time the queen at Carberry Hill came to the lords, and the Earl Bothwell fled to Dunbar. Then he came to Parliament, and with some others participant of the king's slaughter would have had the queen slane by Act of Parliament; and not finding many consenting thereto, and especially the Earl of Murray, then chosen regent, being of the contrair, he solicitate some privie men to gar hang her on her bed with her awn belt, that by that way he and his partners in the king's murther might be delivered of ane witness; knawing well the queen's nature, that when she was miscontent of any man, she would tell all his secrets as she did know of him. This purpose not proceeding as he desired, he

The estimate of his capacities, to be traced in the criticism, whether friendly or hostile, of his contemporaries, is that they were too great for so narrow a field as Scotland, and would have better adorned a greater sphere. This feeling was in some measure, perhaps, fed by the deference paid to him by the Queen of England and her sagacious advisers. But if they courted him as one who had much power to do mischief, it may be doubted if they acknowledged that he would have been exactly suited for their own work, in sagely and cautiously managing the interests of a great community. His pungent sarcasm was his great power. He had other qualities, but they were rather rhetorical than practical. He had a fine discrimination, and could, when he pleased, quit the scorner's chair, and rise into the earnest eloquence befitting a solemn occasion. The compositions, written or verbal, revealing his faculties to the world, are short and casual. Among the longest and the most interesting is the last—a remonstrance with his great enemy Morton, sent from the castle at the juncture which the events just recorded show to have been desperate. Morton himself was at that time sick almost unto

turned him first in flattering with the queen, and sent to her, being in Lochleven, ane picture of the deliverance of the lyon by the mouse, and next turned his haill wit to the destruction of the Earl of Murray, thinking that the wicked would not profit greatly, so just a man having the supreme power, and as seeing that the queen's craftyness was able at the long to overthrow the Earl of Murray's simpleness; so he lended all his wits to the said earl's eversion and the queen's restitution, and proceeded in this cause partly by making ane faction of the counsellors and partakers of the king's murder—of men light of fantasy and covetous of geer; partly by corrupting of my Lord of Murray's friends and servants; and travelled principally with the Laird of Grange, thinking it would be ane great strength to the faction to have the Castle of Edinburgh at their command."

death. We have seen how little vitality remained in the poor diseased body of his enemy; yet is he full of high hope and expectation of coming prosperity. The remonstrance was sent through one who had been the common friend of both. It complains of benefits heaped on Morton which had been ill requited, for now his old friend had stripped him of lands and wealth and fair fame. It was he who had brought against him the foul charge of connivance in the slaughter of Darnley, calling it "a crime whereof he knows in his conscience I was as innocent as himself," an assurance admitting of a double meaning. For all these evil turns, enumerated with eloquent bitterness, he yet concludes:—

"Thus I have touched his part towards me and mine towards him, whereof of reason I think I am and has been evil used; yet I speak it not at this time to reproach him of ingratitude, but for ane other intent more godly and honourable for us both. Since God has visiet baith him and me with corporal diseases, and little likelihood that ever we shall meet face to face, I would wish, for relief of baith our consciences, that these causes were removed, and hereafter better effects to follow. I know him to be a wise man, and able enough to foresee that the world is not so tethered but, if he inlaike, they that he ought to care for may have need of friends. It maybe, that for all that is past, I may be in place where I can both do good and ill—stand my friends in stead, and be an evil neighbour to my enemies. I desire not to be the goat to cast down at night the milk I have given all the day. Since I have done so mikel for the house of Angus and Morton, that some time he said there should be

a memorial of my kindness remain in their charter-chests, I desire not any occasion be left may move me to wish the downcasting of that I helped to build.

"If before he inlaike he will make effectual demonstration that he minds the reparation of my loss in a reasonable manner, I can yet be content that all the evil offices past be buried in perpetual oblivion, and I continue hereafter the goodwill I sometime bore himself to those he shall leave behind him; and I doubt but ere it be long, and sooner nor many believes, the time will come when they will think my kindness worth the purchasing."[1]

Morton now stood alone, supreme in power. Murray, Lennox, Mar, Lethington, Grange, Knox, his foes, his friends, and his rivals, all were gone, and there was a free arena to act his own part in. He was one of those, indeed, to whom a coadjutor powerful enough to be a rival is almost a greater hindrance than an avowed enemy. As to his personal character, purity of life, justice, and mercy, had no place in his moral nature. But he had firmness, business capacity, and a scorn of danger, and these were the qualities needed for Scotland. He put the country in order, and gave it peace.

We now come to a sudden lull. The ever-succeeding troubles of a distracted country, and the efforts of the narrator to trace them through their countless perplexities, find relief together. Events have been chasing each other so fast, that when we look back it is a novelty to realise that all are crowded into a period no longer than twelve years. For the future, three great disturbing forces, prolific in action, are seen no

[1] Letter to the young Laird of Carmichael; Bannatyne's Memorials, Appendix, 339.

more. In the first place, the game of conquest has been entirely played out by England. We may say, perhaps, that it came to an end with the Reformation; but there was still room for it, and it might start up any day. Now its place was occupied. On both sides of the Border men looked to another solution of the problem how the two nations should be made into one. Secondly, It followed that there was no longer danger from abroad, since French protection was no longer needed. The ancient league, if not dead, was paralysed, and all its long romance of heroism and kindly sympathy was at an end. We shall find that a dread of the restoration of French influence had a reactionary effect in favour of the religion which was oppressed by the French Government, but the actual influence was at an end. Thirdly, Queen Mary has no longer a place in the history of her country. She was in one sense busier than ever; for she still conducted an active political correspondence, and the restraints she was subjected to tasked her for increased industry, skill, and vigilance. She kept England in continual peril. At the Vatican, at Paris, and at Madrid, she was still a political power. But in Scotland, however many may have been the hearts secretly devoted to her, her name passed out of the arena of political action and discussion.

Through all this long scene of violence a child was growing up in quiet seclusion, from which he was some day to come forth and be lord over all. As his mother in her infancy had been devoutly guarded from the foreign enemy, so had he from the dangers of the civil war raging around his place of refuge. The two stories are a remarkable testimony to the constitutional spirit prevalent in the country—the spirit of following old

precedent so far as it could be followed with a wholesome safety. The right to change the occupant of the throne was asserted and practised. The form of its exercise made the smallest deviation that was attainable; it resolved itself into a mere anticipation of an event likely to occur in the course of the world's changes—the child taking the place of the parent. It would have been altogether an easier business for the king's party had they chosen some strong man—Murray or Morton, for instance—who could have helped them by fighting his own battle. But feeling it to be their constitutional duty to pass the throne on to the infant representative of their line of kings, they guarded the fragile being whom they had enthroned with loyal zeal and determination.

The office of personal guardian to the king was united with that of regent in the Earl of Mar. On his death the guardianship was given to his brother. Sir James Melville has bequeathed to us a pleasant sketch of the principal figures in the young king's household. First there is Sir Alexander Erskine, his governor, "a gallant and matured gentleman, loved and honoured by all men for his good qualities and great discretion, no ways factious nor envious, a lover of all honest men, and desired ever to see men of good conversation about the prince, rather than his own nearer friends, if he found them not so mete." The master of the household was a man of different character; he was Laird of Drumwhassel, and is pronounced "ambitious and greedy," "a man whose chief care it was to advance himself and his friends." There were four teachers—George Buchanan, Peter Young, the Abbot of Cambuskenneth, and the Abbot of Dryburgh.

These abbots were, of course, lay owners of the abbey lands, and it is simply said of them that they were "wise and modest." The two other teachers are brought out in a group with the Countess of Mar: "My Lady Mar was wise and sharp, and held the king in great awe, and so did Mr George Buchanan. Mr Peter Young was more gentle, and was loath to offend the king at any time, carrying himself warily as a man who had a mind to his own weal by keeping of his majesty's favour. But Mr George was a stoic philosopher, who looked not far before the hand; a man of notable endowments for his learning and knowledge of Latin poesy; much honoured in other countries; pleasant in conversation; rehearsing at all occasions moralities short and instructive, whereof he had abundance, inventing when he wanted. He was also of good religion for a poet; but he was easily abused, and so facile that he was led with any company that he haunted for the time, which made him fashious in his auld days, for he spake and wrote as they that were about him for the time informed him."[1] The latter part of the character is not consistent with the stoic severity of the former, and leads one to suspect that the narrator desired to attribute what is said of him by Buchanan rather to the influence of his rivals or enemies than to the unbiassed judgment of the historian. It is hard at this day precisely to understand what it is to be "of good religion for a poet," and it is observable that King James himself uses the same words when speaking of his master.[2]

A keen observer has left on record how "King James used to say of a person in high place about him,

[1] Memoirs, 261, 262. [2] Works, 1616, p. 480.

that he ever trembled at his approach, it minded him so of his pedagogue."[1] It is easy to see which of his tutors is here meant. Buchanan was a man stern by nature, who had been trained in a stern school. He had to endure poverty and privation, with all the humiliations that attend on such hardships, while he must have been conscious of the high intellectual faculties which in the end led him to renown and greatness. We see in all his philosophy the fruit of such a combination—of fame, position, and affluence coming after the nature has been soured by hardships and humiliations. It was the nature of one antagonistic to the social conditions around—the enemy of all wealth and power that was not gained or at least held by merit. It was a disposition in unison with the national temperament; and the traditions of the rebuffs which he bestowed on his silly royal pupil have been preserved by the common people with a zeal and told with a zest which speak of a fellow-feeling with the relentless stoic of humble birth. These stories are characteristic enough. We can easily, for instance, realise the scene where, the tutor having inflicted dorsal discipline, the Countess of Mar, called to the spot by the wailings of the royal victim, denounces the lifting of the hand against the Lord's anointed, but gets no better token of regret or atonement than the intimation, made in grim derision, that she is at liberty to kiss the afflicted part.[2]

[1] Francis Osborne, Advice to a Son, 1658, p. 28.

[2] Irving's Memoirs of Buchanan, 160. The story is taken from Dr George Mackenzie's Lives, which, though a book in three volumes folio, is no better authority than tradition or gossip. I think the learned and scrupulous biographer of Buchanan would hardly have paid so much attention to this, and some other anecdotes of the same kind, had he not felt a sympathy with the rigid stoicism exemplified in them.

The royal pupil appears to have had both a capacity and an inclination for acquiring languages. Killigrew, who saw him in his eighth year, was invited by Buchanan and Young to try him on any chapter of the Bible; and the result was, that the boy was found able to read off the selected chapter "out of Latin into French, and out of French after into English, as well as few men could have added anything to his translation."[1] An observer less likely to see a royal pupil with partial eyes, the Rev. James Melville, was equally delighted with the royal boy's proficiency. He saw him one day at Stirling: it was "the sweetest sight in Europe that day for strange and extraordinary gifts of ingine, judgment, memory, and languages. I heard him discourse, walking up and down in the old Lady Mar's hand, of knowledge and ignorance, to my great marvel and astonishment."[2] He preserved through life the apparatus of these accomplishments. He had always abundant Latin at his command. When the English courtiers commended the learning of their king, he would drop a word on the advantages he had enjoyed as the pupil of so great a scholar as Buchanan. The teacher could not impart his genius to his pupil. In Buchanan's hands the Latin was not a dead language. He made it respond to the fervency of his thoughts, as if the ideas and the words had been born together. He was a man of vivid imagination and vehement opinion; yet was he able to express whatever these qualities demanded in language which was full and rich and powerful, without any transgression of classical purity. Read

[1] Cited, P. F. Tytler, an. 1574. [2] M'Crie's Melville, 30.

after the master's composition, the pupil's is like task-work. Yet it seems scarcely just to call King James a pedant, since that word seems to imply not merely a propensity for the display of acquirements, but the limitation of their extent to such as a schoolboy may acquire. That "he was a scholar, and a ripe and good one," is a commendation that might more justly have been given to him than to the man of far higher genius to whom it was applied, if we take the word scholar in its modern acceptation. And indeed the man who in later times had the greatest name among us for pure scholarship has left us his supreme testimony to the extent of the acquirements of King James.[1]

One of the traditional anecdotes about Buchanan tells us that when charged with having made the king a pedant, he answered it was the best he could make of him. But there is evidence that he strove to make him something infinitely higher—to make him a great constitutional monarch, "a patriot king," after the notions of kingly duty which the teacher had drunk in from classical sources. He proclaimed the substance of this part of his teaching to the world in his book on the constitutional powers of the crown in Scotland.[2] He explains that the opinions announced in that book came into existence as he thought over the events connected with the deposition of Queen Mary, and that he worked them up into a shape proper for the instruction of her son. Expressed in the solemn

[1] Parr says, in his introduction to Bellenden's book 'De Statu': "Regem vero illum, et à doctrina fuisse haud mediocriter instructum, et doctorum hominum maxime studiosum, nemo est qui ignoret."—P. lxiii.

[2] De Jure Regni apud Scotos.

eloquence of this remarkable work there may be seen throughout the spirit of the schoolmaster, in the simple arrangement of cause and effect, by which virtue is rewarded and vice punished. There is the brilliant sunny picture of the virtuous monarch, conscious of the beneficence which his power enables him to distribute among mankind, basking in the smiles of a happy and contented people. Living, he is the likest thing on earth to the beneficent Deity; dying, he leaves behind him a name to be for ever associated with all that is great and good. On the other side is the dark picture of the reproving conscience recalling the powers and opportunities dedicated to malignity and cruelty instead of beneficence, the life of terror and distrust, a bloody grave, a memory sacred to infamy;—and so he goes on, waxing warmer and warmer in denunciatory eloquence, until he reaches something like a Ciceronian climax, conferring sanctity on the tyrannicide, and denouncing his victim as a monster unworthy of a grave among men.[1] Nor was this mere empty denunciation. There were precedents in Scottish history for the deposition and the punishment of wicked kings. They derived their right from the people, and to the people they were responsible. Hereditary succession was a mere principle of convenience for the avoiding of frequent

[1] "Quod si mihi legem ferre liceret, juberem (quod Romani in monstris procurandis facere solebant) id genus hominum in solas terras deportari, aut in alto, procul a conspectu terræ, demergi, ne contagio etiam mortuorum hominibus officeret; interfectoribus autem præmia decerni, non ab universo tantum populo, sed a singulis; quemadmodum vulgo fieri solet iis, qui lupos aut ursos occiderunt, aut catulos eorum deprehenderunt."—Urie's edition, 117.

elections, and it was well to have it in action until it placed a tyrant on the throne.[1]

Buchanan was then at work upon his History; and as he had some thirty fictitious kings to deal with, he was enabled to adjust the conduct and the fate of each to his own satisfaction. His History became, indeed, what the French call the "pièces justificatives" of his essay. Both may be called practical works, in as far as they bear testimony to a spirit which had been for some time forming and strengthening in the public mind. Buchanan gave clearness and beauty to sentiments in which many of his contemporaries concurred. They are found, indeed, in the works of his own preceptor, John Mair.[2] But Buchanan's flight is too high and classical to give instruction on the practical working of the constitution of his country. Those who read his book on the rights of the Crown, expecting to find such information in it, will be as much disappointed as the politicians who expected a revelation of the interior working of the Roman constitution when the manuscript of Cicero's book on

[1] In his dedication to the young king, when he was ten years old, of the tragedy of Baptistes, Buchanan thus abridged and concentrated his precepts: "Illud autem peculiarius ad te videri potest spectare, quod tyrannorum cruciatus, et cum florere maxime videntur, miserias dilucide exponat. Quod te nunc intelligere non conducibile modo, sad etiam necessarium existimo: ut mature odisse incipias, quod tibi semper est fugiendum. Volo etiam hunc libellum apud posteros testem fore, siquid aliquando pravis consultoribus impulsus, vel regni licentia rectam educationem superante secus committas, non præceptoribus, sed tibi, qui eis recte monentibus non sis obsecutus, id vitio vertendum esse. Det Dominus meliora, et quod est apud tuum Sallustium, tibi benefacere ex consuetudine in naturam vertat. Quod equidem cum multis et spero, et opto. Vale. Sterlino, ad Calend. Nov. 1576."—Poemata, 224.

[2] "Populus liber primo regi dat robur, cujus potestas a toto populo dependet," and "Regem et posteros pro demeritis populus potest exauthorare sicut et primo instituere."—De Gestis Scotorum, 175, 176.

government was found at last, and edited by Angelo Mai. All effective working power throughout is that vague entity called the people. The records of the proceedings of the Estates, when they checked the power of the king and took the executive on themselves, were old, and it was not the custom for historians to pore over such documents. They fell to the lot of the lawyers. These were becoming loyal as the philosophers and divines became republican; and just at that time they were bringing forth the old records, and mutilating them of those parts which bore testimony to a power of control over the acts of the sovereign.

Buchanan was signally unfortunate in his immediate object. The king, who spoke respectfully of his genius and scholarship, uttered his detestation of his teacher's opinions in words not to be misunderstood. When he followed so far the example of his teacher as to set down a code of conduct for his son when he should ascend the throne, it was in the way of an antidote to the poison of the teaching of Buchanan.[1] But the words of the stoic did not fall to the ground. Could he prophetically have foreseen the events of the next century, he might have found his opinions exercising an influence powerful enough to appal even

[1] "I would have you to be well versed in authentic histories and in the chronicles of all nations, but especially in our own histories—*ne sis peregrinus domi*—the example whereof most nearly concerns you. I mean not of such infamous invectives as Buchanan's or Knox's Chronicles. And if any of these infamous libels remain until your days, use the law upon the keepers thereof; for in that point I would have you a Pythagorist, to think that the very spirits of these archibellouses of rebellion have made transition in them that hoards their books or maintains their opinions, punishing them even as it were their authors risen again."—Basilikon Doron; King James's Works, 176.

their author. His precepts were cited by his countrymen when they began the great rebellion, and thence down to the Revolution they were ever on the lips of the opponents of the Stewarts.

It might be said that the new regent was set forth on his career by Queen Elizabeth; but he knew the temper of his countrymen too well to govern for England. For once Queen Elizabeth had helped her friends liberally and effectively. It was perhaps well for the stability of the new Government that she did not tempt the regent by continuing open-handed. He had other resources, which, though they made bitter enemies, greatly strengthened his hands. The civil war had opened a great mine of forfeitures, from which he raised a revenue sufficient to preserve order and make himself formidable.

Killigrew, returning as English ambassador to the country he had known so miserably distracted, found the community waxing fat and becoming supercilious. His reports home took their tone, in some measure, from the spirit in which a powerful man sees the dependant he has helped able to stand unaided and carry out his own affairs. If in such a change there be something slightly to mortify the pride of the patron, yet there is consolation in a more substantial shape,—there is release from the partner who is so liable to be a drag downwards, and the hope that he may prove a respectable and efficient ally—possibly a friend in case of need.

The regent's first troubles were to come from the Church. He had ever stood by the Protestant cause; but for many reasons he was not personally so acceptable to the clergy as the decorous Murray. There was

an important point on which his conduct failed to satisfy them. It was part of their creed that the civil magistrate—that is to say, the governing power in general—was under an obligation to enforce on the people that righteousness of which the clergy were the exponents and proclaimers. To enable statesmen effectually to perform this duty, it was befitting that they should have a fellowship with the ecclesiastical tribunals. On these they were ingrafted by the system of lay eldership, which gave them actual voice and place in the ecclesiastical assemblies, although, of course, subject to the precedence and constitutional superiority of the clergy. In the ecclesiastical meetings, which as yet were but incoherent imitations of the assemblies and synods of the Huguenots, Murray and other Lords of the Congregation had given encouragement by personal attendance and action to the "lay eldership." At that time, however, the rehearsal which the Huguenot or Calvinistic system was offering to the world at Geneva, had not been completely played out in its long and hot contest between a people desiring freedom of action and life, and a clergy determined to subject them to the hard and close rule of their own theocracy. In the pious and moral rule of Farel and Calvin there was of course nothing of the capricious cruelty by which unholy despotisms have been stained. Though it may be open to question whether any human beings might righteously impose on others the rigid and cruel restraints contained in their code, it was one of justice, in so far as there was in it no respect of persons. Of the purity of motive in its chief exponents and champions there cannot be a doubt; and yet, allowance made for all these pallia-

tions, it was a dire despotism, and a sad temptation to poor erring man to play fantastic tricks with his little brief authority.

The Genevan theocracy had but its day, and occupied a small space in the map of Europe. It is not likely that in Scotland, even in the days of the highest enthusiasm for the Presbyterian system, the temper of the people would have submitted to a repetition of the Geneva affair. It came, however, very near to Scotland, on account of many obvious peculiarities in the origin and history of the Scottish Reformation. Whether from his attending to this episode in history as a possible precedent to the claims likely to be made by the clergy of Scotland, or for other reasons, Morton did not co-operate with the clergy to the extent of their desire. He showed no alacrity to profit by his opportunity of holding a subordinate position in their assemblages. It was naturally a delicate duty to press the acceptance of this privilege, and several references to the unpleasant affair in the records of the Assembly are dubious or incoherent. At length, however, at an Assembly which sat down in March 1574, a testimony or protest on the matter was adopted. In the preamble, after setting forth the doctrine for the teaching of which the visible Church exists, it is laid down that, "for preservation of the holy ministry and Kirk in purity, the Lord has appointed assemblies and conventions, not only of the persons of the ministry, but also of the haill members of the Kirk professing Christ—the whilk Kirk of God has continually used, and uses the same assemblies, sanctified by the Word of God, and authorised by the presence of Jesus Christ." After further matter of the same kind comes the specific

charge against the regent and his subordinates in the government of the country:—

"And now at this present the Kirk is assembled according to the godly ordinance, and looks to have concurrence of their brethren in all estates, and wishes of God that your grace and Lords of Privy Council will authorise the Kirk in this present Assembly by your presence, or by others having your commission in your grace and lordships' name, as members of the Kirk of God. For as your grace's presence and the nobility's should be unto us most comfortable, and so most earnestly wished of all, so your grace's answer is to us most dolorous and lamentable." A passage following on this is indistinct, and probably inaccurately preserved; but again distinctness is resumed, thus: "Therefore, as ye esteem yourselves to be members of Christ and of His Kirk, show the fruit thereof, of the whilk it is not the least to join yourselves to the Kirk, not only by hearing the Word and receiving the sacraments, but also in convening with your brethren in the holy assemblies. The whilk to do we give you admonition in the name of the Lord, extending this our admonition to every one, of whatsoever estate, that are present with your grace and lordships." [1]

One can hardly doubt that the bulk of that body of clergymen who professed and pushed the Calvinistic system, personally followed the ascetic rules which they desired to enforce on the community at large. From their own utterings, however, it must be inferred that they found it impossible to extend their rigid rule to any considerable extent over their lay brethren. The Assemblies are ever denouncing the sins of the

[1] Book of the Universal Kirk, 292, 293.

land, and that with so large an amount of loathsome descriptiveness that they are unfit for public repetition at the present day. The catalogue of iniquities was pressed on the notice of the regent's Government by men who believed, and gave occasional hints of their belief, that the beginning of his correction should be with himself; while they told him, as a general conclusion, that "most necessary it was thought of all that your grace's help and assistance should be sought and implored thereunto, that the wrath of God, which presently hangeth over this realm by reason of the same enormities, may be taken away."

The clergy were in the mean time putting their own house in order, according to the decorous simplicity which they professed to hold as the rule of their polity. In 1574, the Assembly, "seeing not only it becomes the true messengers of the Word of salvation to bear in their conscience a good testimony of unfeigned humility and simplicity of their hearts, but also in external habit and behaviour to represent the sobriety and humility of their minds, that the mouths of the godless generation which are opened to blaspheme the godly calling of the ministry may be shut up from just accusation or slandering of the same," it is desirable that the clergy and their assistants should be attired "in a comely and decent clothing, as becometh the gravity of their vocation."[1] A committee was appointed to report on the proper character of such clothing, and they certainly performed their duty with a comprehensiveness and minuteness which must have entitled them to the praise and gratitude of their constituents. They reported: "First, we think all kind of

[1] Book of the Universal Kirk, 322.

broidering unseemly; all vagaries of velvet on gowns, hoses, or coat; and all superfluous and vain cutting out; steiking [stitching] with silks; all kind of costly sewing on garments, or sumptuous or large steiking with silks; all kind of costly sewing or variant hues in sarks; all kind of light and variant hues in clothing, as red, blue, yellow, and sicklike, whilk declares the lightness of the mind; all wearing of rings, bracelets, buttons of silver, gold, or other metal; all kind of superfluity of cloth in making of hose; all using of plaids in the kirk by readers or ministers—namely, in time of their ministry, and using their office; all kind of gowning, coating, or doubleting, or breeches of velvet, satin, taffeta, or sicklike; all costly gilting of whingers and knives, or sicklike; all silk hats, or hats of divers and light colours; but that their haill habit be of grave colour, as black, russet, sad grey, sad brown, or serges, worsted camlet, grogram, lytes worsted, or sicklike."

The brethren not only heartily adopted this sumptuary code, but undertook a daring obligation for "their wifes to be subject to the same order."[1] We have here a picturesque example of a new force coming from England, influencing the character of the Protestant Church in Scotland. Almost everything had hitherto come from France; but now something from the secular rigidity of the English Puritans was to be superinduced on whatever Scotland had accepted from the fierce fanaticism of the Huguenots. This new influence, not content with purity in morals, carried its supremacy into the region of the æsthetic.

It is only natural that those who thus treated themselves should indicate some uneasiness about the recent

[1] Book of the Universal Kirk, 335.

encouragement which the Government had been giving to Prelacy, by filling up some of the sees. There had not as yet been a word in the statute law of the realm against the old system of Church government. The clergy themselves had been meeting in assemblies, and had adjusted a polity on the Huguenot model; but when they sent the outline of their system, in the shape of the Book of Discipline, for the approval of the Estates, the approval was refused, and the refusal was embittered by Lethington's scornful sarcasm. In a stringent statute passed by the Parliament of 1572 for the suppression of Popery, and the maintenance of "the true and haly Kirk," that Kirk is to act through "the lawful archbishops, bishops, superintendents, and commissioners of the dioceses and provinces of this realm by themselves, and the ministers and readers serving at the kirks within their charges."[1]

The bishops had not yet been repudiated in the ecclesiastical courts either by positive enactment or the ignoring of their existence. In the lists of committees and others they have precedence over the untitled clergy, the Archbishop of Glasgow going first. But they certainly did not exercise their old ecclesiastical authority; and the tenor of all dealing with them by their brethren is to bring them to the level of the working clergy, and make their titles a mere honorary distinction, like those of the bishops in the early Irish Church. Their rank would thus be general, not diocesan; and they would only hold precedence, like doctors of divinity, or other brethren decorated with university

[1] Act. Parl., iii. 71. We have seen that the word "church" is employed in the title of the Book of Common Order, but in the legislative and official documents it is ever "the kirk." This is closer to the original, Κυριον οικος, than the English term, or even the German *Kirche*.

honours.[1] On one occasion, in the beginning of 1574, it was specifically laid down: "Anent the jurisdiction of bishops in their ecclesiastical function, the Kirk presently assembled has concluded that the same shall not exceed the jurisdiction of superintendents, whilk heretofore they have had and presently has; and that they shall be subject to the discipline of the General Assembly, as members thereof, as the superintendents has been heretofore in all sorts."[2] At the same time a sort of guerilla warfare was levied against the bishops individually. The Archbishop of Glasgow, and the Bishops of Dunkeld, Galloway, and Murray respectively, were arraigned in the Assembly for irregularities ranging from high immoralities down to mere neglect of duty. With the wayward eccentric Bishop of Galloway there was an old quarrel, and where so much offence was taken, there probably was foundation for part of it. A series of charges were uttered against him, which only harmonise too well with his burlesque prayer for Queen Mary. One charge against him was: "Sixthly, the said Mr Alexander, being one of the pretended Privy Council after the horrible slaughter of Matthew Earl of Lennox, regent to our sovereign lord of good memory, gave thanks for the same, and other sicklike, openly in the pulpit to God, and exhorted the people to do the same, saying it was God's most just judgment that fell upon him; and as God then began to exercise His most just judgment upon him, He would not fail to execute the same upon the rest, comparing oftentimes our said sovereign lord, his regent, and true lieges, to

[1] See Book of the Universal Kirk, 257 *et seq.*

[2] Ibid., 294.

Pharaoh and wicked Absalom, and himself to Moses and David, whom God would defend."[1]

He put these denunciations at contemptuous defiance, and the provoked Assembly commanded him "to make public repentance in sackcloth upon ane Sunday in the Kirk of Edinburgh, another Sunday in Holyroodhouse, and the third Sunday in the Queen's College of St Cuthbert's." This doom was to be announced "in the Cathedral Kirk of Quhitthorn, upon a Sunday in the time of public preaching;" and the penalty for disobedience was to be excommunication.[2] But the bishop, who would easily find protection among his own people, the Gordons of the north, kept silently aloof, and retained the revenues of his see untouched.

We can easily understand that a man of this kind would be liable to correction from his superiors, whoever they were. But we may infer that the proceedings against the other three bishops were rather in warfare than in zeal for order and justice, and that for a palpable reason. They were the only active bishops of the period, being the only members of their order who attended the Assemblies. The charges against the bishops were more numerous than those against any other members of the Church at large; and we must suppose that the sinners among the clergy comprised the whole of the higher order, and only a small percentage of the other.

There is much restlessness in the meetings of Assembly about the nature and lawfulness of the office of bishop, as well as the men then holding it. Their

[1] Book of the Universal Kirk, 274. [2] Ibid., 282.

powers and duties were limited to those of the superintendents, whose functions, as we have seen, were not so distinct as a historian finds to be desirable.[1]

Some definite conclusion appears to be approaching on the questions, "Whether if the bishops, as they are now in the Kirk of Scotland, has their functions of the Word of God or not; or if the chapter appointed for creating of them ought to be tolerated in the Reformed Kirk?"[2]

There was much discussion on these united questions; but a final judgment on them was postponed to take its place in a new general scheme of Church polity, in which the leaders of the Assembly were to be busy for a few years. The prevailing reasons for a final reconstruction of the ecclesiastical system were the sins of the land and the persecution of the professors of the true faith abroad. Through all the restless movements of the Scottish Church at that time we can see the exciting influence of the deeds of St Bartholomew's Day. The slaughtered martyrs were essentially their own brethren in Christ—the very founders of that ecclesiastical and religious system which they had taken over with scarce a shade of difference. The Assembly, in reference to "the lamentable writing from the French Kirk exiled in England to the Kirk of Scotland, bewailing their sorrowful estate and condition," were busied in collecting funds for the Huguenots who had fled to London for protection. Among the leaders of the Church were scholars who had wandered abroad from

[1] Book of the Universal Kirk, 294. [2] Ibid., 340.

one seat of learning to another. They were the close friends of the leaders among the persecuted Protestants, had held sweet conference with many of the martyrs, and had themselves passed through many dangers.

The natural leader of the Church after Knox's death was his coadjutor, John Craig. He had been a wanderer over Europe, and had so many strange adventures associated with his name, that in the traditions of the faithful some of them took the shape of supernatural intervention for the safety of so precious a life. We shall find him connected with the contests between Crown and Church in the earlier years of King James's own personal government. He was, however, a man advanced in years, and the leadership gradually passed over to his young coadjutor, Andrew Melville. By birth and original rank both these men stood in a higher position than Knox. With the social advantages thus held by him, Melville, arrived fresh from the schools of Paris, made his first appearance in the Assembly in 1574. Knox had a respect for hereditary rank which only yielded to a higher duty, when, as the successor of the prophets of old, he had to announce the law of God even to the highest. Melville, though born to a higher position, was more of the leveller. He was the type of a class who, to as much of the fierce fanaticism of the Huguenots as the Scottish character could receive, added the stern classical republicanism of Buchanan. Knox and Buchanan were each the chief of a class of thinkers who left to their Church a double, or rather a combined legacy, of which it may be said that the forms and expressed

opinions came from the Churchman, but the inner spirit came from the teaching of the scholar, as more in harmony with the national temper. When we add to these influences a portion of the Puritanism becoming prevalent in England, it will be felt that there were then in Scotland elements sufficiently strong to impress on the Church the special marks of its peculiar career.

Before turning to other events which have to be told in their order before the ecclesiastical narrative is resumed, it may be proper to note a project by the regent's Government, from which there arose hopes, not fully realised, of improvement in the secular condition of the clergy. We have seen how it was the grief of the ordinary working ministers, that while their stipends were small, there were countless impediments against their drawing even what was by law assigned to them. The remedy devised by the regent's Government had too much of the character of a complicated form of legal procedure to be told to advantage. The object of all was, however, that the Crown should draw the whole funds and pay the clergy their respective shares of it. The individual clergyman, in endeavouring to raise his dues from members of the territorial aristocracy more or less powerful, had to contend with difficulties which could easily be subdued by the power of the Crown. There was a general grumbling about the measure, importing that it profited the regent's revenue but not the clergy. It may easily be believed that the whole fund so collected was not distributed; indeed there is little doubt that by such a centralised collection

the position of the clergy might have been in some measure improved, even although a considerable portion of the realised money passed into the public revenue.[1]

[1] David Ferguson, minister of Dunfermline, a popular clergyman, in a sermon "preached before the regent and nobility," and published in 1572, thus described the pecuniary position of the Church: "The same accusations and complaints that God used of auld by His prophet against the Jews, serve this day against them that are like the Jews in transgression, yea, they serve against us; for this day Christ is spulyied among us, quhile that whilk ought to maintain the ministry of the Kirk and the poor is given to profane men, flatterers in Court, ruffians and hirelings —the poor in the mean time oppressed, the kirks and temples decaying for lack of ministers and upholding, and the schools utterly neglected and overseen."—P. 72. On another occasion he says more specifically: "The greatest number of us have lived in great penury, without all stipend, some twelve month, some eight, and some half a year, having nothing in the mean time to sustain ourselves and our families but that which friends have given us, and that which we have borrowed from charitable persons, until God send it us to repay them."—Tracts by David Ferguson, minister of Dunfermline; Bannatyne Club, p. 11.

CHAPTER LVII.

Expiry of the Regency.

PEACE AND A STRONG GOVERNMENT—PROSPERITY—REVENUE—ENFORCEMENT OF CROWN RIGHTS—STORY OF THE RECOVERY OF THE CROWN JEWELS—MORTON'S DIFFICULTIES—HIS POWER TREMBLING—QUESTIONS ABOUT THE CUSTODY OF THE KING—A PARLIAMENT IN STIRLING CASTLE—THE KING ACCEPTS THE "REGIMENT"—A GREAT RECONCILIATION BANQUET—THE SUSPICIOUS DEATH OF ATHOLE—DEATH OF THE DUKE OF CHATELHERAULT—BREAKING UP OF THE HAMILTON POWER—ESME STEWART OF AUBIGNÉ COMES FROM FRANCE—DIFFICULTIES ABOUT HIS RELIGION—SETTLED BY CONFORMITY—HIS ALARMING INFLUENCE—MISSION OF BOWES TO DEAL WITH IT—HIS DIFFICULTIES—RISE OF CAPTAIN JAMES STEWART—HIS SERVICES IN ASSAILING MORTON—THE STRUGGLE—MORTON CRUSHED—HIS TRIAL AND EXECUTION—THE FUTILE PROJECTS—THE RAID OF RUTHVEN—THE FALL OF AUBIGNÉ—KING JAMES AND BOWES IN CONFERENCE—THE "ASSOCIATION" PROJECT—NEGOTIATION BETWEEN BOWES AND RUTHVEN ABOUT THE CASKET LETTERS—BREAKING UP OF THE RUTHVEN POWER.

For five years the land was ruled with such a steady firmness as it had scarcely felt since the best days of James V. The community was waxing fat and becoming supercilious. The councillors of Queen Elizabeth wisely desisted from interference, and limited their communications to the interest which one friend takes in another's welfare. Only one little incident, called the Raid of the Redeswire, seemed likely to

disturb the friendship of the two nations. In July 1575, Forster, the warden on the English, and Carmichael, the warden on the Scots side of the Border, were holding a warden's court in the debatable land on the Redeswire—a boggy elevation, from which the waters trickle on the one side into Cumberland, and on the other into Roxburgh. These courts were held to decide on international claims by the Borderers, whether arising in questions about property or of personal injury. Those who had hereditary feuds to fight out, or recent injuries to avenge, thus met each other face to face. As they were fully armed for what is in courtesy called "self-defence," there was thus a concentration of hostile elements powerfully combustible. It is said that a dispute arose concerning the balance of a cross account of slaughters and spoliations on either side between the Croziers of Liddesdale and the Fenwicks of Northumberland. By another account, the Scots gave up the malefactors on their side; but when those Scots taken in England were demanded, the warden said there had been enough done for that day—he would give up his prisoners at some other time.[1] The English were the first to break the peace. The Scots fell back before them till they were joined by friends; and then, being the stronger party, they drove the enemy some miles into England with loss of life. Twenty-five of the English were slain, one of them Sir George Heron, the head of an eminent Border house. The English warden himself, Lord Francis Russell, the Earl of Bedford, and several other Englishmen of note, were led away as prisoners. The regent detained them for

[1] Diurnal of Occurrents, 340.

some days in hospitable imprisonment in his Castle of Dalkeith.[1] He wrote to Queen Elizabeth on the very day after the misfortune, at once taking the position of the party entitled to complain. He gave the following account of the affair: "After meeting, and good justice and redress in the beginning, at last some question falling betwixt the officers, although without any actual offer of injuries by way of deed on our men's parts, the disordered people of Tynedale, Redesdale, and others, your highness's subjects, violating the proclamation of truce, by shot of pistols and arrows presently slew two Scotsmen, even in the sight and very near the officers, pursuing the remnant of our people so outrageously, that they, being far driven from their standing, at length in their defence, after the slaughter and hurting of sundry gentlemen and others of this nation, your majesty's subjects have happened in the end to receive such loss and detriment as I am heartily sorry for." He has himself earnestly sought peace on his side; and he appeals to her majesty to charge her officers on the frontier, "straightly commanding them the observance of the peace and good amity, and inhibiting all inordinate attempts tending to the violating thereof." [2]

It was natural that the English Government should take a different view of the affair. In fact it created considerable wrath in the Court of Queen Elizabeth, and there was to be a diplomatic contest, with Killigrew sent as ambassador to Scotland. Morton did not offer a satisfactory excuse for detaining the warden—he no doubt thought it well to keep his hand on a

[1] Life of King James the Sext, 153.
[2] Harington's Nugæ Antiquæ, ii. 128.

valuable hostage until he could see his way out of the difficulty. A meeting was proposed between Morton and Lord Huntingdon on the part of England. There arose the old jealous questions about the place of meeting. Morton was audacious enough to demand that it should be on the Scotch side of the Border. This was in consideration of his personal rank as governor of the country; but then Huntingdon was of the blood-royal, and this might count as an equivalent. It was agreed to hold the meeting on the Border, and the dispute was adjusted. This affair showed that the honour of the country was in good keeping in the hands of the unpopular Morton. He had address enough to distribute such gifts as are not the less acceptable, that instead of vulgar bribery they partake of the nature of high-bred courtesy. Sir Robert Bowes thought it of sufficient importance to be especially intimated to Cecil, that "the regent hath sent forth four casts of Scottish falcons, whereof two casts are to come to my Lord of Leicester, one to my Lord of Hunsdon, and one to yourself."[1]

The regent made many and powerful enemies by his rigid enforcement of the rights of the Crown. The most formidable of all, however, arose out of a curious train of little events connected with the fate of some of the Crown jewels. The quantity of precious commodities which had accumulated through various sources in the hands of Queen Mary seems to have far excelled the collection of similar treasures belonging to English royalty. It has been difficult in many cases to decide whether the estates in the possession of a sovereign are held by him as representing the nation,

[1] Bowes's Correspondence, 77.

or are private property which he can dispose of at his pleasure. The same question is still more apt to arise about valuable movables, such as jewellery. That "the honours of Scotland"—the crown, the sceptre, and the sword—belonged to the nation, there could be no doubt. These remained in Scotland when the miscellaneous Crown jewels followed the Court to London in 1603. On the other hand, the many precious gifts which the queen had received from her French connections must be esteemed her own property. On the treasury of a Queen-Dowager of France which she brought home with her there might be more doubt—its final disposal might be ruled by special customs. And what, it may be asked, was the position of the trophies of Bannockburn taken from Strathbogie, where they were sent for security by their owners, the Chapter of the Cathedral of Aberdeen?

The jewellery and other precious movables handed over by the queen to Bothwell have been calculated as worth in their day the equivalent of £6000 of our present money.[1] These were of course recovered on his flight.

Queen Elizabeth's emissary, Throckmorton, in his news-letter to his mistress about the adjustment of the regency, reiterates that Queen Mary besought Murray "to take her jewels, and all she hath of value, into his custody, for otherwise she is sure neither she nor her son shall have good of them."[2] The custody of these possessions must have naturally been ordered by Murray as regent. It became known that he had parted with some of them to Queen Elizabeth for a considerable sum of money. The estimate of this

[1] Robertson's Inventories, cxxvi. [2] Keith, ii. 738.

transaction has vibrated according to the views of those dealing with it. At one end it is parting with the public property for the support of the Government; at the other it is a piece of larceny, in which Murray is the spoiler and Queen Elizabeth the receiver of stolen goods. Queen Mary eagerly watched her treasure, remonstrating bitterly when she had suspicions of its disposal. This was neither for the indulgence of pomp nor of avarice. Her French dower and her jewels were to be her military chest, if she should again set foot in Scotland. When Grange held the castle in her cause, the result was realised as to the jewels; for everything valuable, whether it belonged to the Crown or to the exiled queen, was kept there as the chief national fortress. Grange from time to time raised money by "wadding" or pawning these treasures. They were thus dispersed in France and England; and many of them were in Edinburgh, in the hands of speculative goldsmiths, who then did a business in which they combined the banker and the pawnbroker of modern days. When the castle was taken, there was a strict inquiry as to the disposal of the treasure it was known to have contained. A large portion, including "the honours," was found hidden in a cleft of the castle rock, perhaps in the fond hope that they might be recovered when the fortress again fell to the queen's party. Grange, in the interval between his capture and execution, was searchingly examined as to what he had done with the valuables amissing. He was irritated by the suspicion that he had concealed some of them in his clothing, but such an act does not assimilate with the defects of his character.[1]

[1] There is something of the sordidly humiliating in the explanations

For the recovery of these treasures it was considered necessary to strengthen Morton's hands by an Act of Parliament. It described them as "sometime pertaining to the queen our sovereign lord's mother, and now pertaining to his majesty since his highness's coronation." They are described as having fallen into the hands of "divers the subjects of this realm and others," who make daily traffic with them.[1] It has

extracted from the chivalrous hero about these transactions. It would appear that a portion of the jewellery had been pawned to a certain James Mosman, a citizen of Edinburgh, who maintained that he had restored them at the juncture of the rendering of the castle, while they were not found by the captors. His explanation was given thus: "The jewels laid in wad to James Mosman he alleges he delivered to me again the day I rendered the castle in the General Sir William Drury's hands. It is of truth the said James gave me certain gear in an evil-favoured clout. What was in it, God is my witness, I saw not; but whatsoever it was he gave me, I came therewith to the chamber where then I did lie, in the which at that time there was both Englishmen and Scotchmen, and cast it in an open coffer, and commanded one of my own that was standing by to lock the said coffer. But what is become of it since I know not; for my coffers were all left in my chamber, I thinking the same to be sure, because it was given me to understand that the general had gotten grant of all that was within it to my behoof, otherwise I might have provided for sundry things that I have lost. And that was because I feared the general should have inquired me on my honour if I had either jewels on me or gold; which truly if he had I would have declared the truth unto him. And therefore for that respect I brought out nothing with me but the clothes was on me, and four crowns in my purse, as I will answer to my God. For had I believed he had not gotten all that was in my chamber, nor yet inquired me on my honour, I should have saved a great deal more nor I have done, both of jewels and of mine own proper goods. For not only baith my wife and my daughter's children lost their own clothing, with some small jewels to the value of a thousand crowns, but as well a good part of mine own stuff and clothing; for my coffers were opened and searched through or they came out at the gates, which I could have remedied if I had not thought myself assured that all that was in my said chamber had not been promised unto the general by the regent. This above written I do by this my handwritt affirm to be true."—Robertson's Inventories, clii., cliii.

[1] Act. Parl., iii. 74.

been, oddly enough, among the items filling up the charge of extortion and injustice against Morton, that when he exacted restoration of the jewels he did not repay the money for which they were pledged. But surely the payment by the victorious of the debts incurred by the conquered party has not then or ever been so common a practice that the neglect of it can be counted a crime.

We now come to the point at which his activity and determination in recovering these possessions of the Crown boded danger to the regent.

The widow of the Regent Murray was among those called to account for having Crown jewels in their possession. It has naturally been maintained, and cannot be disproved, that she obtained them by her husband's connivance. She and Mary Fleming—one of the queen's Maries, and the widow of Lethington—were peculiarly pertinacious and successful in resisting all efforts to deprive them of their prize. Murray's widow had become the wife of the powerful Earl of Argyle. Still Morton was determined to have restitution of her plunder; for among its items was a wondrous diamond called "the great Harry," because it was a gift to Queen Mary from her father-in-law, King Henry II. of France. It was afterwards, on its removal to London, set with other jewels in a group called "the Mirror of Great Britain."[1] The countess, or her husband in her name, fought a hard battle for the retention of the jewels. The Privy Council issued repeated orders that they should be delivered. The countess appealed to Parliament, and harassed Queen Elizabeth to interpose for her. The ground on which that queen could

[1] Robertson's Inventories, cxxxviii.

appropriately meddle in such a matter was, that the jewels were a provision for the daughters of her old ally the regent. Morton, thus beset, appears at one time to have proposed a compromise, but it came to no practical issue. At last, on the 5th of March 1575, Argyle had to submit to the humiliation of appearing before the Privy Council and delivering up "ane great H. of diamond, with ane ruby pendant thereat; six other jewels, thereof three diamonds, and the other three rubies, intromitted with and kept by the said Dame Agnes and her said spouse since the decease of the said umwhile Earl of Murray."[1] Such was the making of one potent enemy.

It was destined that a Highland feud, breaking out a year afterwards, was to be coupled along with the affair of the jewels among the chief causes of a political revolution. A certain reiver of the Argyle district, called Alister Glass, *alias* MacCallum, chose to turn aside from the Lowland districts, which were the legitimate field of Highland plunder, and drive a "creach" from the braes of Athole. He was caught and brought to the earl's feudal court, where he was speedily condemned to be hanged. MacCallum Mohr—known to the Saxon as Earl of Argyle—took an interest in the lesser MacCallum, and pleaded with the Earl of Athole for his life. The small favour was granted. Alister, however, offended again in worse fashion than before, and discussion and recrimination made bad blood between the two clans. The quarrel became so deep that the head of each house took it to himself, and each levied an army to prepare for war. Morton, like the strict disciplinarian who will allow no fighting, threatened

[1] Robertson's Inventories, cxxxviii.

to spoil their contest by the presence of a superior force, and cited both the leaders to appear before the Council and answer for their conduct as disturbers of the king's peace. He had permitted the quarrel to go so far that he could hang a charge of treason over their heads, and each thought it best to remain within his Highland fastness. One of them had just felt the weight of the regent's hand, and both knew that, if once in his power, he would strip them of something valuable. It occurred to them, therefore, that it would be wise to close their strife and make common cause with the other enemies of the regent, now becoming numerous. Among other sources of revenue, he had opened one only available to strong governments—the revocation of grants of the domains of the Crown made contrary to the provisions of the Act for the preservation of the Crown lands. Among others, he set his eye on a nice estate which had been gifted by the queen to Mary Livingston, one of her four Maries. Her husband had gone so far in preparation for vengeance, that a conviction was obtained against him and an accomplice for conspiring to put the regent to death.[1] The persons who might be amenable to the pressure of a strong government able to inflict the law to its letter were very numerous. Uneasy surmises of various kinds were afloat. It was not easy then, nor is it so now, to fathom the designs of that inscrutable man, bold, crafty, practical in design, speedy in action, and unmolested by any scruples of conscience. It was observed that on some armorial bearings the heart and mullions of the Douglas appeared where the royal lion might have been more aptly blazoned. It

[1] Pitcairn's Criminal Trials, i. 71.

was remembered, at the same time, that if not the genealogical chief, he was practically the head of that formidable house of Douglas which had repeatedly shaken the throne.

The chronicler of the day who notices these things tells how he constructed the trap in which he was himself caught. He projected that favourite scheme of desperate plotters in Scotland—getting possession of the royal boy.

It will be remembered, that although the head of the executive government, he was still the servant of the Estates of the realm. These had jealously placed the prince in the hands of another servant, with the means of protecting the boy in a strong fortress. Erskine, his guardian, the governor of the castle, seems to have kept Morton aloof; and we find him nervously anxious and inquisitive about the doings there, and trying to get them kept right through Erskine's nephew and his own cousin the Laird of Lochleven, to whom he complains, "we are evil and unthankfully acquit for our goodwill borne to the house of Mar."[1] He could be admitted within the gate of Stirling Castle only as a visitor, like Argyle, Athole, or any other among the eminent nobility. On such a visit, one day in September 1577, he had a conversation with the king, who, it will be observed, was then twelve years old. He professed himself to be an old man weary with the cares of State. He saw in his royal master one young in years, but in sage counsel old. It was time that the country should have the benefit of his genius. Would he take the government on himself, and relieve his poor servant? It was hard

[1] Registrum Honoris de Morton, i. 89.

that the monarch of all should be confined to one lonely castle. If a free king, he might "be well lodged in the Castle of Edinburgh, baith for the good situation of the house, the pleasant sight of the fields, and the sight of the sea and frequency of ships." The boy babbled of what had been so said to him. According to contemporary accounts, Argyle and Athole determined to seize the opportunity; and we find from Morton's correspondence that both were then in Stirling Castle, not much to his content.[1] Whoever suggested it, it was determined to strike a blow. On the king's own word it was known that Morton had desired to be relieved of his responsibility. They concluded that "in respect he had done so good service to his majesty in time bygone, it was no reason to refuse him of such a lawful petition." By order of the Privy Council the event was proclaimed with all heraldic pomp, blowing of trumpets, and firing of cannon. The news spread as an event for national rejoicing. Morton at once felt that the current was too strong for him, and did not face it. He held Edinburgh Castle for a few days; and on this point it must be said of one who has an evil name in history, that his conduct seems to have been worthy and honest. At great exertion and the earning of much hatred he had recovered the Crown jewels and other national pro-

[1] Registrum Honoris de Morton, i. 88. It troubled and alarmed him to hear that Argyle was living in the castle. When he grumbled about a person charged with treason being so near the king, he was told that Mar gave Argyle an apartment by his majesty's order. To this Morton says, "What it shall please his grace to command shall also please us;" but this thing had not been the pleasure of his majesty in the right sense, for it was an evil act tending to his own prejudice, and therefore a thing he would not do "without he be sinisterly persuaded so to do" (ibid.)

perty. If the castle were snatched from him, all would be thrown loose; the Crown property would be again pillaged, and he would be unable to vindicate his own integrity by showing how much of it he had recovered, and how well he had kept what was brought together. He desired that the treasures in the castle should be inventoried, and that time should be allowed for that being done. It was done; and there is no hint that the result was unsatisfactory, or that Morton had acted otherwise than as an honest guardian of the public property.[1]

He was finally relieved of his responsibilities with the profuseness of legal formality peculiar to State transactions in Scotland. Two long documents, extended through all the variations of stipulation and condition which the ingenuity of jealous conveyancers could invent, contained obligations by the young king and the assembled nobles to hold him indemnified for his conduct as regent; two others of similar character contained their discharge for the castle and its contents; and the whole were to be afterwards ratified in Parliament. A council of twelve was appointed, by whose sanction all the business of the Crown was to be trans-

[1] "The bruite is here, that they mind to gar charge the castle to be delivered under the pain of treason. If that shall be done, the king will receive great hurt therethrough; for if I should deliver the castle upon a charge, the goods therein not being inventoried, it were, no doubt, his majesty's great apparent hurt, and altogether my wreck. For other men might at their pleasure possess and use his jewels and other things, whilk I have with great labour recovered and to this time well kept. I pray you, spare no travail to stop this at your utmost power; for neither reason, care, nor conscience can agree with this order."—Morton to Angus; Registrum Honoris de Morton, i. 105. And to his cousin, the Laird of Lochleven: "It is my rack that is sought, and a great hurt to the king, if his jewels, moveables, and munition should be delivered without inventory."—Ibid., 103.

acted. Six were to be a quorum, of whom the chancellor must always be one. The Lord Glammis, who held that high office, had just been slain in a feudal quarrel, and he was succeeded by Athole.[1]

We find Morton saying to his cousin, "I would be at that point, to have nothing ado now but to live quietly, to serve my God and the king my master."[2] But the great stake, the possession of the boy, could still be played for; and perhaps he considered that such a game was in the way of both duties. Whether or not it was by skill or chance, it came to pass that the boy fell into Morton's hands. We have seen that his guardian and the governor of Stirling Castle was Alexander Erskine, the brother of the late regent Mar. His nephew, the Earl of Mar, a youth about twenty years old, lived in the castle. He either adopted or was talked into the opinion that, as head of the house of Mar, the custody both of the castle and of the young king belonged to himself. Sir Robert Bowes, writing to Burleigh, describes a scene in the castle, in which the lay Abbots of Dryburgh and of Cambuskenneth—both Erskines—acted along with the young earl. It occurred on the 26th of April 1578. The three managed, on pretence of passing out on a hunting expedition, to find the master unprotected near the gate, and tried by bullying or force to make him render up the keys of the castle, on the ground that Mar, the heir of the house, was the rightful commander of the fortress. He managed to seize a halberd and summon aid. There was then a fray, in which the master's son was crushed to death; but

[1] Life of King James the Sext, 160-64; Registrum Honoris de Morton.
[2] Registrum Honoris de Morton, 163.

it had no other conclusion. Argyle, also an inmate of the castle, interposed; and, as Bowes understood, the others at length "agreed to remove thence and draw to concord, especially to satisfy the king, who of the tumult (as is reported) was in great fear, and teared his hair, saying the master was slain; and (as I am informed) his grace by night hath been by this means so discouraged as in his sleep he is therewith greatly disquieted."[1]

Bowes was mistaken in his supposition that Morton had been beaten. When the Privy Council appeared to have audience, the gate was closed on them as a body, and they could only get admission singly as guests. There was now a confused struggle, in which the timid boy, the cause of all, might aptly be said to have been hustled and dragged this way and that by the selfish scramblers. The chances of a civil war were so imminent that at one time the opposition lords brought six or seven thousand men together encamped at Falkirk. The interposition of Bowes, the English minister, seems to have done much to save the nation from actual war. In the words of his friend Lord Hunsdon, "If they had met together, it had been so bloody a day as would not have been quenched in Scotland these many years; and only staid by the great diligence and extreme travail of Mr Bowes, who deserves great commendation for the same."[2]

In the midst of all this confusion a Parliament was summoned. It did not suit the views of Morton to hold it in Edinburgh, hence it was to assemble in the great hall within Stirling Castle. This, on the

[1] Bowes to Burleigh, 28th April 1578; Correspondence, 6.
[2] Bowes's Correspondence, 11.

other hand, was unpleasing, and indeed alarming, to the adverse party, who protested that a meeting of the Estates held within a fortress commanded by an enemy of his country was no free Parliament. It transacted a considerable amount of business, however, as the statute book shows. The leading Act was "the ratification of the acceptation of the regiment upon the king's majesty in his own person." Another was a discharge in Morton's favour, relieving him from all responsibility or liability to be questioned concerning "the administration of his regiment, Castle of Edinburgh, munition, jewels, and others being therein."

When the storm blew over, a grand reconciliation banquet was held in the Castle of Stirling. Immediately afterwards, Athole, the chancellor, died suddenly, in great agony, and his friends said that his enemy had contrived in the arrangements of the festival to have him helped to a dose of poison. Morton solemnly denied this in his last confession; and it is one of the mysteries which seem doomed to remain a mystery until the day when all secrets are laid bare. There is strong testimony to the firm and sound condition of Scotland in the harmlessness of this formidable contest to the vital interests of the country. In the days of insecurity and mighty risks and terrors, which but a few years had passed over, such an affair might have been spoken of as involving the safety of Elizabeth's throne and the Protestant ascendancy in England. It might have pointed to issues affecting the balance of powers all over Europe; and now it could be treated as little more important than a local squabble.

Morton, his actual power virtually re-established, found immediate congenial work in the destruction of an enemy's house. The house of Hamilton had lost a great portion of the power that had made it formidable. The head of the house, "the Duke," died in the spring of 1575. He has held a considerable place in our History; but he was conspicuous less as a real actor than by the flounderings and collisions, caused by his inability to steer through practical life that great wealth and influence with which fortune had endowed him. Whether justly or not, the Government of France held that his rights then died with him; and the dukedom of Chatelherault, with its domains and honours, returned to the Crown. His eldest son succeeded him as Earl of Arran. We have met him playing those fantastic tricks which were so grotesquely mixed up with the sterner purposes of Bothwell. He was now detained an irretrievable maniac, who for several years could have done neither good nor evil to any public cause; yet in him was vested the bulk of the estates that would change hands by forfeiture. They were in the custody of his two younger brothers, John, Commendator of Arbroath, and Claud, Commendator of Paisley. The only one of the Hamiltons who, according to extant records, was tried in a court of justice, was "Arthur Hamilton in Bothwellhaugh," a brother, apparently, of the murderer of Murray. He was charged with accession to that crime, but acquitted on condition that he should "nowise resett, supply, intercommune, or show favour to" the two commendators. Against these the war was opened in the High Court of Parliament, the records of which are laden with documents connected with it.

These, however divested of the spirit of justice and mercy, are scrupulous in technicality and precision. For their many transgressions the Hamiltons must have been repeatedly "put to the horn"—that is to say, after blast of trumpet, they must have been called by name at the market-cross of Edinburgh, and at the pier and shore of Leith, and required to attend at the Tolbooth to stand trial, otherwise they would be outlawed and declared rebels. Persons so cited and denounced as rebels, on failure to appear, were beyond the protection of the law, and could be dealt with without any further troublesome formality.

But with the air of a generous reliance on the policy of forbearance, the Government declined to profit by this opportunity. It, on the other hand, relaxed the hornings—that is to say, restored the men for the time to the protection of the law, in order that they might come with safety and plead to the charges to be made against them in Parliament. They were summoned; but, as usual, they preferred the safety to be found in their own fortresses to the justice they were likely to receive from Parliament. There is a careful inquiry through pursuivants and witnesses on the technical legality of the citations which they have just defied; and then they are again "put to the horn." All this not being quite sufficient, the same process is repeated for the purpose of duly demanding that they shall yield their fortresses before they are denounced as traitors. Along with all this there are the elaborate preparations by the citation of witnesses, and the drawing of multitudinous documents for the trial which was never to be. The brothers diligently fortified their two chief castles of Hamilton in Lanark-

shire, and Draffen in Fifeshire. Next a solemn commission was issued, narrating all their offences, and the efforts made to bring them to trial, and concluding with the royal authority to seize them in their strongholds.

This document deals elaborately with a difficulty not, as it would appear, easily overcome. The Hamiltons and the queen's party would not join in the treaty or pacification of 1572 without an indemnity for the past. It was proposed by the king's party to except from that indemnity the murderers of the two regents. It was the advice of Queen Elizabeth, who was referred to, that this matter should stand over until the king could deal with it himself. As the king himself is now made to tell the story, it was agreed "that the inquisitions, searches, and revenges, by justice or otherwise, of the said two murders, should be suspended, deferred, and put over until such time as we should be of that age as by the laws and customs of our realm we should take the government to ourself." That time, it was held, had now come. The commission to seize the Hamiltons in their strongholds was issued on the 1st of May 1579. The scene now changes from the technicalities of the Tolbooth to a short war. Hamilton Castle, which seems in some measure to have been restored after it was ruined by Drury, and the other were besieged. They made but brief resistance, and only subordinates were found in them: the principal birds had flown, John, the elder of the two brothers, escaping through England to France disguised as a soldier. Again we are in the technicalities. A carefully-drawn and elaborate Act of the Estates was passed, indemnifying the commis-

sioners for what they had done, and pronouncing it to be all good and lawful service to his majesty. Another Act gave authority for the destruction of the castles. Finally, an Act of forfeiture completed the transaction.[1]

At the same time occurred an event of a different character—the arrival in Scotland of a stranger who was destined to have a notable and not a wholesome influence on the future destiny of Scotland. This was Esmé Stewart, Lord of Aubigné, in France, the son of a brother of old Lennox, the father of Henry Darnley. His age is not known; but it must have exceeded thirty, since he had a son fifteen years old.[2] He was a trained French courtier, and therefore immediately eyed with jealous aversion. We have seen that even in the days when the ancient league was in its strength, the Scots could ill bear with an emissary of the French Court, even though he were a descendant of their own royal house. Whatever changes had come over that Court only made it more offensive to the rough Scots. It had degenerated even since their queen had been trained there in the qualifications for which they had driven her from her throne. It was a period of crime and folly lying between the two heroic periods of Francis I. and Henry IV. It was well typified in the Italian Bianci, who, as a skilful chemist, held the double functions of Court perfumer and Court poisoner. To the Protestants, now the great bulk of the community, the stranger represented the accursed city whose streets were wet with the blood of the saints. He was of course a Papist. It was rumoured that he

[1] See the documents at length, Act. Parl., iii. 159-62.
[2] Douglas's Peerage, ii. 100.

was intimate with the bloody house of Guise—that an eminent person of that house had accompanied him to the ship in which he had sailed for Scotland. Nothing can be more likely. But it is not necessary that we should adopt a conclusion which the frightened clergy drew from this conjunction — the conclusion that he was sent as an emissary from these Guises to allure the land back to Popery. It may be held that the Guises, if they were not too sagacious to have attempted such an enterprise, would have put it into apter hands. The Lord of Aubigné's resources were those of the idle ornamental courtier only, not of the practical statesman.

But to men too sagacious to see danger in him either as a practical statesman or a secret emissary of the Pope, there soon arose grounds of suspicion that his influence would be malign. He could tell how the French king was supreme and absolute, as a monarch ought to be, and pour the principles of divine right and passive obedience into ears too ready to receive them. All such doctrines were still eminently offensive to the landed gentry and burgesses, who stood by the old supremacy of the three Estates.

The young king at once took the glittering stranger to his bosom, dazzled, as it would appear, by a meteor so much brighter than the dim satellites surrounding him. In some measure, perhaps, the stranger's influence at Court may have proceeded from this, that his rank as a relation of the royal house opened a freer intercourse than it was deemed becoming for the king to hold with the ordinary nobility.

That in the time of innocent boyhood he should thus impetuously have thrown his affections on a

stranger, was afterwards, when his confidences became more questionable, referred to as an index to his nature, which required another's will to be his absolute director. An acute and lively writer, looking back from the favourites of his later days to this, the earliest of all, says: "I pray the reader to consider the sweetness of this king's nature; for I ascribe it to that cause, that from the time he was fourteen years old, and no more—that is, when the Lord Aubigny came into Scotland out of France to visit him—even then he began, and with that noble personage, to clasp some one gratioso in the embraces of his great love, who was unto him as a *parelius*,—that is, when the sun finds a cloud so fit to be illustrated by his beams that it looks almost like another sun."[1]

The glory of the stranger was exhibited in a royal progress through the country, at pageants given to the young king. They bear a monotonous resemblance to those exhibited before his mother, when she, too, was young, and seemed to have before her a great career. These pageants were not merely costly in themselves, but were accompanied by "propines" or gifts offered to the sovereign. As the favourite was ever with him on these occasions, and very prominent, his presence and the drain of money to supply the Court pageantry were naturally coupled together as cause and effect. Through all this the brilliant young stranger did not conceal the sense that he was moving among barbarians. A wise political emissary would not thus have wantonly provoked a proud and fierce gentry; and his foolish conduct might have well acquitted him of deep

[1] Scrinia Reserata: Hacket's Memorial of Archbishop Williams, D.D., 39.

designs, had he not made men too angry to be reasonable about him. He was speedily endowed with substantial wealth and high honours. The old earldom of Lennox, which descended properly to James himself, as the son of the elder of Earl Matthew's sons, had been vested in the second son, Robert. James wanted it, however, for the new favourite. Robert was content to receive in exchange the earldom of March; and within six months after his arrival from France, on 5th March 1580, the favourite received the earldom of Lennox. It was converted into a dukedom for him on 5th August 1581. This was a rare title in Scotland. Only once for life, and in the exceptional case of Bothwell, made Duke of Orkney, had it been conferred on any one not a direct member of the royal family. And the domains with which he was endowed, scattered over ten counties, would fill a rather tedious inventory. Last, and crown of all favours, he was made governor of Dumbarton Castle, one of the three strongest national fortresses.[1] The excitement he created appears to have set the English emissaries to their old occupation of anticipating astounding events. Among these the stranger was to kidnap the young king, and carry him over to the Guises; while Morton, as a counter-plot, was to inveigle him into his own strong fortress at Dalkeith, or to sell him to the

[1] Morton, writing a very reticent letter to Sir Robert Bowes, with promise of verbal explanation of matters which he only ventured to hint at in writing, says significantly, in reference to this acquisition: "For anything that is likely to work by your mistress here, it is like to follow one of our proverbs—that is, When the steed is stolen, let steek the stable-door. The Earl of Lennox has gotten the keeping of the house of Dumbarton, with all duties and commodities appertaining thereto; and that for the space of one year, and further enduring the king's will."—Bowes's Correspondence, 91.

Queen of England.[1] It was not the least perplexing of all these political phenomena, that Lennox, to remove all difficulties about his offensive religion, frankly, and without giving the slightest trouble in his conversion, avowed himself to have become a Protestant, and joined the visible Church. There were those who, instead of attributing this to utter levity, found in it the greater crime of an over-zealousness for the cause of Rome, which was to be served by an act of profound deceit.

It might have been that in the bud this favourite's prosperous career could have been easily nipped. The opportunity, if it ever had been, was now past. We have seen in the rise of Bothwell how it was possible for the sovereign of Scotland, by connivance with a subject, to raise him to a power dangerous to the country. The process was here repeated; but Lennox was not a murderer, nor did he afford any reason for saying that he aspired to a throne. Hence he did not excite the amount of odium, mingled with fear, that attended the career of Bothwell; and as yet it was found the best policy for all who aspired after office or emolument to court his propitious smile.

Of course there were many schemes to break, or at least balance, his influence. One of these merged into the appointment of a new high officer of State, a Lord High Chamberlain, who, with a vice-chamberlain to assist him, was to command twenty-four young men, the sons of the chief nobles of the realm, selected as a body-guard for the young king. The office was given to Lennox, or, more properly speaking, he took it, and he appointed his twenty-five subordinates.[2] It thus

[1] Bowes's Correspondence, 28. [2] Ibid., 128.

fell to him to obtain in a constitutional manner that object so often achieved by violence—the custody of the royal person.

Queen Elizabeth and her advisers were very angry at all this, and sent Sir Robert Bowes to Edinburgh to put Scotland to rights. At a meeting of the English Council, held on the 18th of September, the interest that England had to keep down the favourite was set forth in articles which bear the impress of the sagacious judgment and clear diction of Cecil:—

"1. And first, it is to be noted what are the perils if Lennox be suffered to continue his greatness.

"First, He will abuse all such as bear friendship to the queen's majesty.

"He will nourish unkindness and troubles upon the Borders, to drive the queen's majesty to a continual charge to keep force to defend outrages committed upon her subjects.

"He will induce the king to marry in France, or elsewhere, to make himself able to offend the queen's majesty; and when he shall be of some more years, finding her majesty not assisted with some good friendship, to attempt to make present title, as the queen his mother did when she was married to the Dolphin of France.

"2. And to this enterprise, whensoever he shall attempt it, he shall have more helps than the queen his mother had.

"First, Because he shall be a young man, in whom both the kingdoms of England and Scotland shall seem to be knit, to avoid all perils by uncertainty of succession.

"Secondly, He shall have the comfort of all discon-

tented persons in England, whereof the number is at this day far greater than was in the beginning of the queen's reign.

"Thirdly, The Scottish nation is at this day stronger in feats of arms than it was aforetime, by reason of their exercise in civil wars at home, and their being abroad in the Low Countries." [1]

This last affords a key to the causes of the failure of the mission, and of all attempts, either by England or France, to interfere in the internal affairs of Scotland. In seven years of peace the country had grown so strong that the leaders of factions could fight their own battles without endangering the independence of the country.

It would be a dry and profitless story to tell how Bowes talked to this one and another, making no progress. But some portions of his instructions, and his own efforts to give effect to them, are worth noting. He was to use all means to prevent the favourite from getting Dumbarton Castle into his hands. The emissary did his best, not only by persuasion and bullying, but by tampering with the deputy-governor to get him to hold the castle in defiance of his new lord. There came during his vain endeavours an instruction, that if all other means should fail, "then would her majesty you would confer with the Earl Morton, and other the enemies to the Earl of Lennox, how this matter may be helped, either by laying violent hands on the said earl and his principal associates, in case no other more temperate course may be found for the remedy thereof, or by some other way that by him shall be thought meet, wherein her majesty willeth you to assure them

[1] Bowes's Correspondence, 120.

that they shall not lack any assistance she can give them. For which purpose the Lord-Governor of Berwick is appointed presently to repair to his charge, with ample instruction and express commandment to yield any assistance that shall be by them required." [1]

But this instruction was revoked in all haste, and with some appearance of trepidation, because "it may be feared that if any violence should be begun, the faction would seize themselves of the person of the king, and carry him to Dumbarton; from whence they might either convey him to France, or (fortifying themselves) they call in foreign aid to his aid, upon pretence of necessary assistance against this violence offered." And this is accompanied with a general hint, —"Be not too hasty to promise much from hence, for we take no care to perform;" an indication that there were those at the English Court who knew the hopelessness of actual interference.[2]

Bowes was instructed to demand an audience of the king and Council, in order that he might state the whole case against Lennox—an audience from which Lennox himself must be excluded. The reception of this demand will be best told in his own words:—

"Yesterday I returned at the hour prescribed, praying to have audience before himself and his Council, which was granted. After I prayed that the Earl of Lennox might be excluded, for that I have to deliver some matter that particularly touched him; which being proponed in Council, Lennox sitting there, they sent the Laird of Cleishe to me, to understand whether I was a messenger or an ambassador; wherein I referred them to the view of her majesty's own letters

[1] Bowes's Correspondence, 111.

[2] Ibid., 111, 112.

to the king, expressing the cause and manner of my several despatch to him now and before. And finding the mark they shot at, I said that by those letters they should find me sent in ambassage. Soon after, the Abbot of St Combe, wholly devoted to Lennox, and the Lord of Cathcart, depending on the Earl of Morton, were sent to me, declaring that the king and Council find it not meet, nor standing with their accustomed order, to remove any nobleman from his seat in Council before sufficient matter should be opened against him; whereon I answered, that her majesty having directed me to make this request, I have therefore done the same, and further, have showed particular and sufficient cause for the king's welfare and advantage for Lennox's removal, besides many other respects more meet to be thankfully remembered by them than presently mentioned by me. Then they demanded whether I had direction in writing. After I had found fault with this kind of dealing, I said that to remove all scruple I had direction in writing on that part. Again they signified to me that the king and Council would see my direction in writing before they removed Lennox, and asked whether it was under her majesty's hand or no. I denied to show that to the whole Council, especially while Lennox was present; nevertheless, for the king's pleasure, I would let him, and such convenient number he should choose, see that part of mine instructions. And to the other part of their demand there needed none answer. This offer was also rejected, with signification to me, that except I would show my direction in writing to the king and whole Council there sitting, I should not be heard. Still I denied to show it in that manner, and likewise I refused to deliver my message before Lennox

and that assembly that would hear me with such a prejudgment, and had so little regard to her majesty's reasonable request, without satisfaction whereof I would not proceed further with them; praying their determinate resolution to be given me, that I might send the same to her majesty, and dispose myself accordingly. At length they brought me answer that the king and Council would consider and advise further on that matter, and within short time give me understanding of their conclusion. With this I departed, declaring myself nothing contented. And now I attend new day and warning, resting uncertain whether I shall be heard or no, unless I shall either show to Lennox and the rest my said direction written, or else deliver mine errand in the presence of Lennox, contrary her majesty's pleasure. And being determined to agree to neither of these before I shall be otherwise commanded by her majesty, I have therefore thought good to signify these with speed, and humbly to pray speedy direction as well in these as also in all other matters here of such weight and difficulty."[1]

Bowes stuck pertinaciously to his point, but without any approach to success — the thing demanded was "not according to the order of this realm."

The ambassador in the middle of October received an order for his return, with an opening for a reconciliation should the young king express proper contrition for his conduct. The tenor of this amended admonition was, that the Queen of England had been his protector from his childhood and the maker of his fortunes, and he had so far despised her wise counsel, that even while she was imparting it the favourite was raised to

[1] Bowes's Correspondence, 116, 117.

the climax of his power. The message of repentance should come by a special and highly-accredited messenger. Here Queen Elizabeth was at her old established form of trickery—Bowes was to get this done and the proper person selected in such a manner that it should seem to be entirely the spontaneous doing of the young king or of the Scots Court. Bowes thought that Lord Ruthven would make a proper messenger. No doubt he was one of Lennox's followers; but Bowes thought he saw in him a man who had designs of his own, and events were to prove that he was right. A message was sent, but neither its terms nor the rank of its bearer was satisfactory; and before the month of December, diplomatic relations between England and Scotland were closed.[1]

In the mean time the favourite was making arrangements for confirming Queen Elizabeth's worst fears, and proving that he could be dangerous to his enemies as well as propitious to his friends. His power was insecure while Morton existed; so Morton must die. In attacking him, the great power of the favourite was added to that of the confederates, who had already been almost strong enough to bring him down. That fruitful source of all the great State prosecutions of the day, the murder of Darnley, furnished the means of his destruction. The favourite and his party secured an able agent or champion to begin the contest. This was James Stewart, a son of Lord Ochiltree. He first appears as "the Captain;" but in the course of the business in hand he becomes Earl of Arran, having been promoted to the forfeited title of the house of Hamilton and a goodly portion of their estates in the spring of 1581. The rapid fluctuation of titles at this period is apt to

[1] Bowes's Correspondence, 142-56.

perplex the reader, unless he is careful to keep the individuality of their owners in remembrance. We have had two conspicuous Lennoxes; here is another Arran, and presently there will come another Bothwell. Stewart's maternal descent gave an appropriate character to the disposal of the forfeited titles and estates of the Hamiltons. His mother was a Hamilton—a sister of the old head of the house, the feeble Duke of Chatelherault.[1] Arran's precedents were of a kind to recommend him to the support of the Protestants. He was a brother of John Knox's widow. He had fought as a soldier in the Low Country war for the Dutch and against the Spaniards. But his career was of a character not likely to fulfil any expectations so created. That he was a daring and able man this career shows. Historians have spoken of him as a master in all the great vices, and conspicuous even in that age for profligacy. That he was profligate there can be no doubt, since, independently of all contemporary testimony, an act of wickedness was perpetrated on so high a stage as to demand general attention — his seduction of the Lady March, his friend's wife, who afterwards became his own. But in that age, overflowing with wickedness, the rank held in the hierarchy of vice depended fully as much on the loudness of the accusers as on the actual conduct

[1] "Captain James Stewart of Bothwellmuir, second son of Andrew Lord Ochiltree, whose mother, Lady Margaret Hamilton, was only child of James, first Earl of Arran, by his first wife, Beatrix Drummond." "Captain Stewart had a charter of the earldom of Arran, the baronies of Hamilton and Kinniel, and the other estates of the Hamilton family in the counties of Bute, Lanark, Kirkcudbright, Berwick, and Linlithgow, 22d April 1581; and he obtained a letter of confirmation under the great seal, 28th October 1581, of new ratifying the old erection of the earldom of Arran, and creating him and his heirs-male Earl of Arran, Lord of Avane and Hamilton."—Douglas's Peerage, by Wood, i. 121.

of the accused,. and probably Arran had a generic resemblance to most of his neighbours.

According to the account of one of the English spies, he brought his accusation against Morton before the king and Council, after the manner in which Crawford had denounced Lethington. The scene in this instance was the more exciting of the two; for Lethington was a poor cripple, but Morton was a soldier, and had followers at hand. There was a long wrangling; and indeed it appears to have been a question, which any trifle might decide, whether there should be actual bloodshed. We are told that both Angus, his relation, and Lennox, his enemy, declined to vote on the question before the Council. On consulting the king's advocate, it was decided that he should be "warded" or imprisoned on the charge of treason and murder. This was on the 6th of January 1581. He was, in the first instance, put under guard in his own apartments at Holyrood, and a few days afterwards was removed to the Castle of Edinburgh.[1]

And now the courage, fierceness, and tenacity of purpose that had made the man terrible, rendered his death a necessity. He was like a ferocious wild beast in the toils—if he escaped with life, he would leap upon the hunters and rend them. His friend Bowes, who was working hard for him, wrote to Cecil: "The most advise to give him undelayed trial in Edinburgh, and like despatch to cut him off, in regard that they think him so deeply offended by these dealings against him, and his nature so implacable, as he may not be suffered to escape their hands."[2] But yet there was

[1] Bowes's Correspondence, 159; Registrum Honoris de Morton.

[2] Correspondence, 163.

no haste. He was imprisoned early in January, and brought to trial before the High Court of Justiciary on the 1st of June. The proceedings were superfluously formal; for it was decided that they should be inscribed on the records not only of the Court, but also on those of the Estates of Parliament, with the great seal and the seals of the Estates appended, "for the fortification, approbation, and confirmation thereof." A jury of sixteen was impannelled, eleven of them Lords of Parliament, the others barons. Thus he had trial of his peers, probably not to his advantage. The indictment named as his accomplices "James, sometime Earl of Bothwell," and the others present at the Kirk-of-Field. The narrative of the method of the deed has a certain old quaintness that may relieve it of the stiffness of the modern-style book. The group of murderers did, "at twa hours after midnight or thereby, come to the lodging beside the Kirk-of-Field, within the said burgh of Edinburgh, where our said sovereign lord's dearest father was lodged for the time; and there, by way of hamesucken, brigancy, and forethought felony, maist wildly, unmercifully, and treasonably slew and murthered him, with William Tailleur and Andrew M'Aige, his cubiculars, when as they, buried in sleep, were taken the night's rest, brint his haill lodging foresaid, and raised the same in the air by force of gunpowder." The evidence produced is not on record. One morsel of it was expected to be very exciting—it was to be the "band" for the murder produced by Balfour in a green box; but the "band" was not to be seen then or ever afterwards. The sentence, along with the forfeiture of all his estates, doomed him "to be had to ane gibbet beside the

market-cross of the said burgh of Edinburgh, and there hanged till he were dead; and thereafter drawn, quartered, and demeaned as ane traitor."[1]

But the sentence was not effected in this form. He was beheaded on the 2d of June 1581. That the instrument used was that called in Scotland "the Maiden," but now better known as the guillotine, we know by those who were present describing how he put his neck under the axe.[2]

It is observable, that although he was ranked with Murray as a champion of the more zealous portion of the new Church, the Presbyterians stood idly by as the tragedy was acted. He was among them, but not of them. He had rather impeded than helped those movements towards the pure Presbyterian policy which Murray had not lived to witness. He had not Murray's correctness of life; and though we find him in his correspondence invoking the Deity and using conventional phrases of a pious kind, they did not pass as the genuine coin of seriousness. Yet he met his death with a dignity rather of the Christian than the pagan type. On the day of his execution he was visited by a deputation of clergymen, who harassed him with thirteen questions on points of conscience and conduct. These he answered at length, gravely, courteously, and in the spirit of penitence and forgiveness—such at least is the character of the narrative of the scene preserved by his inquisitors. This "confession," as it is generally termed, has already been

[1] Pitcairn, i. 114-16.

[2] There is a tradition that he invented "the Maiden" or ancient guillotine, which may now be seen in the museum of the Antiquaries' Society in Edinburgh, and that he was beheaded by it; but the weighted axe descending in grooves was common long before his time.

cited on the point where he admitted that he had been consulted about the murder, and knew it was to be done.[1] On another charge on which he was questioned —the poisoning of the Chancellor Athole—he made this rather remarkable answer: "Fye! there is over mickle filthiness in Scotland already; God forbid that that vile practice of poisoning should enter among us. I would not for the earldom of Athole have either ministrate poison unto him, or caused it to be ministrate unto him; yea, if I had been a hundred, and he his alone, I would not have stirred a hair of his head."[2]

On the general question of his spiritual condition he said: "And indeed now I acknowledge the great mercy of God in this, that among all the benefits He had bestowed upon me, this is one of the chiefest, that in this my last trouble He has given space and leisure to repent me my sins, and to be at a point with my God; in whilk trouble also I have found greater comfort than ever I could have found before, because thereinto I had concluded within myself, that if God should have spared my life, and delivered me out of this trouble, that then I should have cast away all the cares of the world, pleasure of the same, and delight of all earthly things, and dedicate myself hereafter to serve my God in all kind of quietness and simplicity; and if it should please God to take me in this trouble, I had concluded to be content therewith also, being always assured of the mercies of God; and therefore now I thank God that now I find me at this point, that I am rather content to die than live, and that I shall not see the miseries to come; for I will assure you that I think to be the most acceptable time that

[1] Vol. iv. p. 337. [2] Bannatyne's Memorials, 320.

ever God could have taken me, for I perceive and foresee such miseries and confusions to ensue, that I thank God I shall not see them; and ye who fear God and live behind me, when as ye shall see these things, ye shall wish of God to be where I shall be —that is, with Him." [1]

They held at him in this fashion to the very end on the scaffold. "A comfortable prayer was made by Mr James Lawson." During its performance the victim lay, as we are told, in grief, "his body making great reboundings of sighs and sobs." This phenomenon was not attributed to any nervous impatience of his persecutors, but was counted a sign "of the inner and mighty working of the Spirit of God, as they who were present and knew what it was to be earnestly moved in prayer might easily perceive." His new friends gathered round him to take a reconciling farewell; and they tell how, "after he had taken us all by the hands that were about him, and bidden us farewell in the Lord, he passeth, both constantly, patiently, and humbly, without fear of death, to the place of execution, and laid his craig under the axe, his hands being unbound; and thereafter, Mr Walter putting him always in mind, and crying in his ear these words following, he cried continually till his head was stricken off, 'Lord Jesus, receive my soul. In Thy hands, Lord, I commit my spirit. Lord Jesus, receive my soul;' whilk words he was speaking even when the axe fell on his neck." [2]

The news of the steps towards this tragedy were received at the Court of Elizabeth with utterances of rage which took in some measure the tone of fear. It

[1] Bannatyne's Memorials, 324. [2] Ibid., 332.

was resolved to stop it if possible. Stronger steps were taken than those merely against the favourite; and a greater man than Bowes was sent to Scotland —Randolph himself. Under the Earl of Huntingdon two thousand footmen and five hundred horse were assembled on the Borders, with two months' provisions; and Bowes, then treasurer of Berwick, was directed to advance £2000 for the service of the force.[1] The threat implied in these preparations seems only to have excited wrath, and thus to have frustrated any influence which Randolph's persuasions might have exercised. He found himself utterly baffled. His information showed that an invasion of Scotland would be a serious matter, and the preparations proved but an empty threat. In fact, like Sadler nearly forty years earlier, he feared violence, and was glad to return safely home. He had to say to his instructor, Walsingham: "I have been here so evil dealt with, that beside the libel set upon my lodgings-door on Wednesday last, I had a shot bestowed upon the window of my chamber in the place where I am wont to sit and write. My good hap was to be away when it was shot, otherwise Miles and I had been past writing; for the piece being charged with two bullets, struck the wall opposite, before me and behind him, where I am accustomed to sit, the table behind us. Some show of search is made for fashion's sake."[2]

It had now been the practice for a long period for the Court of England to keep a spy in Scotland, whether in the shape of an ambassador or of some humbler emissary. Of old his duty was to notice

[1] Bowes's Correspondence, 165.

[2] Proofs and Illustrations, P. F. Tytler, No. vi.

how far conquest was practicable. In later times, when the connection of the royal families made a union of the crowns on one head not an unlikely event, the temper of these embassies was changed. We will not rightly estimate them without keeping in view that the English claim of feudal superiority was never forgotten; but its recollection was subsidiary to a tone of friendship and even affection, as in the intercourse of relations with each other. Elizabeth especially seemed to take a motherly interest in the young prince; and without committing herself she could dazzle him with brilliant hopes. So Walsingham instructs Bowes to reason with the royal boy against the elevation of the favourite, adding to the instruction: "In case he shall reply, as it is likely he will, that Lennox is his nearest kinsman, and therefore cannot but repose trust in him, her majesty would have let him understand, that if kindred be a thing he so greatly weigheth, then, if he look rightly into the matter, he shall see that there is no kindred that he ought to prefer before hers, who by effects hath always showed such fair and true fruit of love towards him, as that nature could not work greater in those that were tied in the nearest degree of kindred unto him. Besides, her quality and means to do him either good or harm, if they be well weighed, may give him just cause to prefer the kindred of a Queen of England before an Earl of Lennox."[1]

The letters sent home by the English emissaries in Scotland are ever filled with rumours or conjectures generally of an exciting kind. We have seen specimens of what they had to say when the events in

[1] Bowes's Correspondence, 114.

Scotland were more marvellous than those we are now dealing with, and infinitely more important from their connection with the policy of France and England. What the revelations furnished to the present day by the letters of these men are worth, both in times when there is much to reveal and when there is little, may be estimated by their nature during the events accompanying the present crisis. These letters are stuffed with rumours about external agencies. The favourite is to adjust a double government, in which Queen Mary is to be a partner with her son; and there is an active agency with the Guises to promote the scheme. Another time the king is to be kidnapped and sent to France or Spain. Then the banished Hamiltons are coming over from Spain with an army of twenty thousand men fully equipped. At other junctures, although the rumours were multitudinous and widely astray, one can see that some of them had roots somewhere; but at this time it is clear that they are idle fictions of the brain.[1] If the

[1] Yet there is something interesting in the following particular rumour, were it only in its carrying us over some of the old familiar ground of Rizzio's murder: "The servant showed him that it would be done that night, being Monday last, or else on Wednesday at night next following; and that his master, Alexander Stewart, with others, were in readiness, and would first enter themselves into the church while the king should be at supper; and next come up the dark stair into the long gallery over the church, where they would remain until they should be advertised that the lords were departed from the king to their own suppers; and then they would enter into the little gallery under the king's lodging, saying they had the keys of the door already delivered to them by John Bagge, the king's porter; and coming to the king, they would put his person in safety. Herewith he said that the Earl of Glencarne should have these in his company, Stewart, captain of the Bass; and these two should come to the king, and persuade him to be contented and to send for the duke. Lastly, he told him that they would there kill the Earl of Marr, the Abbot of Dunfermline, the Prior of Blantyre, the Parson of Camsay, and Mr John Colville. The

emissaries were so foolish as to believe them, there can be no doubt that the wise men in Queen Elizabeth's confidence knew better; and the mystery about the whole is to find out what object of statecraft was served by the collecting and retailing so much fallacious information.[1]

On one point, however, during the favourite's rise,

sompter-man being brought before Colonel Stewart, and examined by him, did still stand to his tale, affirming it to be true; whereupon the colonel informed the king, and by his commandment search was made for the said servant, that was then presently attending his master in the town; yet he was so withdrawn as he could not be found, neither is there anything done to his master, but is left at large and at his own liberty. This enterprise should have been executed on Tuesday last, and that night the duke came in great haste to Blackness. Fernihurst, accompanied with iiij score horsemen armed, was on Leith sands before iij of the clock in the morning; and it is found that sundry other troops of horsemen were about the king that night. The Earl of Morton had been with the duke very secretly in the evening, and that night he continued in readiness and armed; howbeit I had so provided that such watch was laid about him, Newbottle, Glenclowden, and such others of that faction, as they should not have strayed far from their lodgings."—Bowes's Correspondence, 268.

[1] Yet when an opportunity for getting at real facts occurred, they had little scruple how they seized it—as, for instance:—

"On Tuesday last here arrived two ships at Leith from Deepe; therewith was brought two packets of letters to the Duke of Lennox; and (as I am informed) the one of them is sent from La Mothe, the French ambassador for England. I had intelligence given me immediately upon the landing of the carrier of the pacquets, whereupon I sought to intercept them; but, by the mean of Andrew Lamb of Leith, they were presently sent to the duke, then at Callander. And albeit I sought to have had some pursuit after the carrier, departed that night to Lithgow, yet I could not obtain any help or order for the recovery of these letters.

"It is given out by such as came in these ships, that the said ambassador was departed from Bologna to come into England, before they came from Depe; who is here daily looked for. And it is said he bringeth great store of French crowns, which opinion worketh mighty effects both in this Court and also in this whole realm, to the great advantage of the duke and his friends. Dunfermling moved me yesterday to write speedily for his stay, wherein I let him know that I have prevented his request."—Bowes's Correspondence, 270.

we can see that the English emissary had a glimpse, though but a faint one, of something practical. The Scots nobles would listen to none of his projects against the favourite, but he felt that they were plotting something among themselves. There was even a distinct story of an attempt to keep the young prince in the Castle of Doune. This fortress, very strong in that age, overhangs the Teith between Stirling and Callander, where its picturesque ruins are well known to the tourist. It was the mansion of the lordship of Doune, then belonging to James Stewart, the son of the Regent Murray. The faint glimpse we obtain of this affair is merely a note by Bowes of a conversation with the king, in which "he showed that he himself, as it is true indeed, defeated the device at the Doon by finding fault with the want of beds and other requisites, and by his hasty return to Stirling; for he considered, he said, that the matter was like to come to blood." He seems, however, though he thus dexterously evaded conclusions, to have spoken in a boastful manner of this affair: "And albeit some had essayed to persuade him that force would be used for the retention of his care and person, yet he said he knew sufficiently that none would presume so far on their own strength, seeing he could easily daunt any such person or purpose."[1]

Yet, except such faint glimpses as this, with others still more dim and dubious, Bowes, with all his ductile art, could get no clue to the policy of the leaders. How entirely he was baffled will be seen in what he obtained from the man who was to be leader in the great enterprise. There is a conference with Ruthven

[1] Bowes's Correspondence, 70.

concerning the position and designs of the favourite, and the means of defeating them: "Whereupon he affirmed, that of his own knowledge he saw no other mind in Lennox than to serve the king truly, and to honour her majesty and maintain the amity truly; adding therewith, that Lennox had little power of himself to do any great matters in Scotland without the assistance of the nobility and other friends joined with him, who once espying any purpose or course in him to practise anything against the religion or amity with her majesty, would both soon leave him alone, and also withstand his practices."[1]

Among the several strongholds belonging to this Lord Ruthven, one, a few miles northward of Perth, consists still of two strong heavy square towers, called Castle Ruthven, and sometimes Huntingtower. King James was from his earliest years a mighty hunter, and fond of fine horses. He came, as the guest of Lord Ruthven, to pursue his favourite sport, on the 22d of August 1581. Next morning he was astonished by the throng of guests in and about the castle. There were, in fact, a thousand armed men there. The boy soon found that he was a prisoner; for when he professed to wend his way, the Master of Glammis laid hold of him. According to a well-known legend, the boy wept, and the master made the consolatory remark, "Better bairns greet than bearded men." Arran, coming to the gate to pay his court to the king, was seized and carried to a place of security. The Earl of Angus, as a person from whom danger or opposition might also be expected, was guarded. This affair is well known in history as "the Raid of Ruthven."

[1] Bowes's Correspondence, 133.

The king's external position was not that of a prisoner. He went about as a monarch, attended by a very large train of sedulous and well-armed followers. He went almost immediately to Perth, thence in a few days to Stirling, where he abode until the 8th of October, when he passed on to Holyrood and held a Parliament.

The heroes of this enterprise uttered to the world two manifestoes or vindications of their conduct. The one was a small printed pamphlet, bearing the cumbrous title in the note below, which may be read as a faithful summary of what comes after it.[1]

The description and character here given of Lennox and Arran is: "Men born heritors to na thing in this land, partly moved by ignorance of this estate, and partly by an ambitious desire not only to be equals but superiors to the ancient nobility—clothing them

[1] 'Ane Declaratioun of the iust and necessar causis moving us of the Nobillitie of Scotland, and uthers the King's Maiesteis faithful subjectis, to repair to his Hienes presence, and to remane with him for resisting of the present daingeris appearing to Goddis trew religion and professours thairof, and to his Hienes awin person, estait, and croun, and his faithful subjectis that hes constantly continuit in his obedience; and to seik redres and reformatioun of the abuse and confusioun of the commoun wealth, remouing fro his Maiestie the cheif authouris thairof quhil the treuth of the samin may be maid manifest to his Hienes Estaits, that with common consent redres and remeid may be provided. Derectit from Striuiling, with speciall command and licence to be prentit, anno M.D.LXXXII.' (Reprinted in facsimile, with Mr Maidment's notes, from the only known copy, which is in the Advocates' Library, and had been in the Harleian Collection.)

The reason of the disappearance of all but one copy is supposed to be the suppression of the pamphlet on the counter-revolution. In an Act of the Parliament of 1584, as to the Raid, there is provision, "that nane of his highness' subjects in time coming presume or tak upon hand, by word or writ, to justify and allow the said most treasonable attempt at Ruthven, or to keep in register or store any books, rhyme, act, band, or writ whatsomever, tending to the allowing and approbation of the same attemptat at Ruthven in any sort."—Act. Parl., iii. 295.

with the pretence of the king's highness' name and kinrent, and ascribing unto his majesty the odious title of an arbitrary power." There is a charge of trafficking in the king's name with Papists, and especially the Papal Courts of Spain and France, which was all so ineffective, that it "in end, notwithstanding the concurrence of the Pope's nuncio and others most notable persecutors of the Kirk of God in France, wrought not so much as to procure him ance to be styled king." And here it may be noted by the way, that what they set down as a slight, was really a furtherance of that Protestant cause to which they professed allegiance. The Papal powers would not diplomatically acknowledge the Government of King James, and thus all means of direct tampering with the king or his advisers was excluded.

The apology refers to ecclesiastical transactions to be presently noticed, and appeals to the Presbyterian party. The massacre of St Bartholomew, though now ten years old, was yet a tower of strength. It was still worth while to proclaim that it was to be repeated in Scotland. Some story had got abroad about a quantity of blank warrants signed by the king, and put into the favourite's hands to be filled up as he pleased. Were these not "the special names of such of the nobility, officers, and of the king's true servants, that were destinate for the massacre in all men's mouths, and nothing resting but the execution, since the authors of the like in France had obtained place and credit to command also in Scotland"?[1] It is among the charges, that the

[1] Mr Froude's unwinding, in his 30th chapter, of the complicated plots which were to realise the projects of the Romanist powers at that juncture, must be read by every one with deep interest. It even adds to this interest to know how totally unfelt they were in Scotland—the

young king is seduced away from "the sermons of godly preachers." But in the next page there are a few words which perhaps reveal more than all the rest the motives for siding with the new movement of the Church. We shall see how the Assembly professed to excommunicate the Archbishop of Glasgow; and one of the grievances of the land is, that although he was excommunicated, strong measures were taken for forcibly levying the fruits or temporalities of the see, "to answer and obey the said excommunicate man of the rents and fruits of the archbishopric of Glasgow."

The other exculpatory document was an Act of Indemnity passed at a meeting of the Estates, in the king's presence at Holyrood, on the 19th of October. It may be noted, that while the party in the ascendant were appealing to the sympathy of the Presbyterian party, they were so far away from an acknowledgment of Presbyterian forms and government, that in the roll of members attending the sitting we find Patrick, Archbishop of St Andrews; Adam, Bishop of Orkney; and James, Bishop of Dunkeld. The Act passed was properly an indemnity; but in its terms it was a vote of applause, thanks, and confidence. The evils and dangers of the land, and the peril to the liberties of the people, who are losing the protection of their old laws, are briefly described. The excellent young king has all the heart in the world to remedy the

place where the whole circle of separate movements was to be concentrated. There was much general fear of the Catholic powers and their intentions, and it was known that they would be helped at home. But it was sheer political force that they dreaded, not the wily schemes of subtle Jesuit priests. These, whatever mischief they might work through the government apparatus of despotic Courts, had no power to wield the political influences of a country governed like Scotland in the open face of day.

evils of his suffering people, and rescue them from danger. He was restrained, however, by the machinations of evil men, until certain gallant and devoted subjects came to his rescue. Such is the general tenor of the Act. The persons whom it honours specially by name are William Earl of Gowrie, John Earl of Mar, and James Earl of Glencairn. These potentates, after the fashion which becomes those who are to receive a spontaneous distinction from an assembled body, declined to vote or take part in the business before the house. There was yet a significant feature in the document. Such an important service could not be effected without some acts which might be construed into breaches of the letter of the law. It is therefore provided, that "the said persons, nor nane of them, their friends, kinsmen, servants, tenants, assistants, and partakers of whatsoever quality, preeminence, or degree, shall incur na danger or skaith therethrough in their persons, lands, nor goods, and shall not be called nor accused for the same civilly or criminally in any manner of way in time coming."[1]

To the English Government it was of the utmost moment to direct towards proper ends the power that had thus so suddenly come to preponderate in Scotland. Bowes was sent there again; but it was felt that a stronger man was needed at so critical a post, and

[1] Act. Parl., iii. 326-28. The shape in which this Act appears on the Record edition of the Scots Statutes carries on its face the mark of what Bowes says (p. 180)—"The realm of Scotland is often subject to sudden and many changes;" and another—"The tickle state of this realm, subject to change, and labouring like a working sea in the storm" (350). The Act of Indemnity had, in the counter-revolution which followed it, been not merely repealed but cancelled, by ink scores drawn from corner to corner, and crossing in the middle. So the Act is printed with like cross scores from corner to corner.

Secretary Davison, whose name afterwards was universally renowned, appeared at Holyrood. The destitution of the new Government in the matter of physical force was critical and alarming. The confederates had nothing to rely on but the feudal service of their vassals, whom they had no means of feeding, even if they could have left their usual pursuits to hang about Holyrood. For any critical enterprise two or three thousand men might at once be gathered; but how to get two hundred armed men as a constant body-guard to the young king, was a problem at which they worked all the time of their brief reign without solving it. The difficulties that impeded it are instructive. Bowes was endowed with a thousand pounds of Government money, with the prospect of more if he found a profitable political investment for what he had. With the money which he had and might have he proposed to support the body-guard so urgently needed. It must have been to his surprise that this was in the mean time declined, on the part both of the confederates themselves, and of the king in whose name everything was done. The words in which Bowes reports this conclusion are as follows: "They showed that the king, declaring by his great misliking of the levy of soldiers, did acknowledge this action to be taken in hand and done for his own profit, promising to accept it for his good service, and to procure the rest of the nobility and convention to be next assembled to ratify the same, and to appoint a Parliament to confirm it; so as they thought it now not needful to levy and entertain the numbers before appointed, and without apparent necessity they would not put her majesty to any expenses; concluding that

they would for this time fortify themselves of their own friends and servants to be kept about them during their attendance with the king, and would forbear to charge her majesty until farther necessity or other accident should fall."[1]

It would be difficult to see the motive for this self-denial, were it not for the key supplied by the tenor of previous history. The confederates dreaded the effect on the popular mind of co-operating with mercenaries in the pay of England. How they would have decided had aid been offered on a larger scale —had the troops and the money been thousands for hundreds—it would be useless to guess; it is only clear that the penurious assistance offered to them was not worth taking at the price it might cost in popularity.

But the ambassador found, that although the gift he bore was thus collectively and politically rejected, there was a strong individual hankering after that thousand pounds. Some men's estates had suffered severely in this eminent public service to both realms in which they were embarked, and they hinted their hopes that a generous queen would not see them utterly ruined. To some Bowes appears to have been able to make gifts of costly gems—a form of reward more decorous than payment in hard cash. The thousand pounds he protected by maintaining that it was intrusted to him for a purpose from which he dared not divert it. Sometimes he lends a little money; but it is from his own private means, which are limited. In this he acted under direct instruction from his mistress. It was one of the most unpalatable shapes in which she ever put her favourite precept, do this "as from

[1] Bowes's Correspondence, 198.

yourself." Walsingham guaranteed him personally to the extent of £300: "If her majesty should leave the burthen upon you, I will not fail to see you myself discharged of the same."[1] But the advances made by Bowes were larger. He was like the agent who does a little for his own behoof as well as his employer's, and probably has not made up his mind which of them is to be concerned until results are visible.

As the months passed over the young king and those attendants who partook of the double character of courtiers and jailers, there was one outside whose will had been all in all with him, and who was still formidable in his ruin. It was desirable that Lennox should go back to the country whence he came; but he held to Scotland with great tenacity. His movements were like those of the discharged domestic who holds that he has been unjustly dealt with, and comes now with the whine of poverty, now with something like a threat of vengeance. At one time in the cold Scotch winter he finds a retreat in the barren Cumbraes, then he has to move farther from danger into the remote Highland fastnesses of Cowal. On another occasion he appears in the Lowlands with a following larger than the king's. He is in the strong Castle of Dumbarton; he had been made commander there, and can still hold the place. Then he moves eastward to another royal fortress of which he was made governor—Blackness, only some fifteen miles from the Court. Bowes told his Government that from this quarter a counter-blow was imminent. Writing on the 6th of December, he takes credit for having through his own sagacity repelled such a disaster. Founding on information obtained by him,

[1] Letters of John Colville, 28.

he had "earnestly moved the king, his Council, and others, to gather more forces, and keep a strong watch about the king for prevention of danger; which with great difficulty was at length performed, and yet not with sufficient provision; for it was persuaded to the king that this suspicion, founded on vain bruits, ought not to put him in fear or trouble his Court." The ambassador adorned this despatch with a distinct and almost picturesque account of the manner in which the blow was to be struck; but, with the thousand other rumours of events in Scotland not destined to occur, it supplies an item to the crowd of chimeras, with their phantom actors, through which the searcher after realities in these diplomatic mazes must wander.[1]

To this the next item of news fits on as its other side: "The duke doth lay out his distressed estate in large manner, praying the king to have compassion thereof, and also confesseth that sundry noblemen and others offered to him to attempt the enterprise for recovery of the king's person; and in hope of the execution of the same, he hastened unto Blackness, thinking that since the device proceeded not from himself, and that it was not to touch or hurt the king's person, that he might therefore look on and see what should succeed." But there is more humiliation in store. He lingers because "he had neither money for his expenses nor furniture meet for his journey; and he trusted the king would not put him away with such shame, and in that bare state; whereupon he prayed some time to make provision to supply these wants."[2] So sordid an antithesis to the favourite in his climax of power, following as it does close on the tragic his-

[1] Bowes's Correspondence, 267. [2] Ibid., 272.

tory of Morton, gives to the Scotland of that day an unpleasing resemblance to the Court of an Oriental despotism, where the omnipotent favourite of one day is on the next the abject wretch whose revolted slaves may spit upon him. The poor man asked leave to raise money by "wadset" or mortgage of his estates; but this was refused: it would reduce the value of the "escheat" or forfeiture that was to sweep back to the Crown the vast domain he had acquired. It is only when Bowes presses for severity, that, in the true antagonistic spirit of their country, the favourite's triumphant enemies are for moderation. Demanding his instant removal from Scotland, he complains how "they answered that their law and common order alloweth that the party enjoined to pass to any place prescribed, ought to have reasonable time for the performance of that charge."[1] It is not until the 22d of December that Bowes has the satisfaction to write to London, "that this great work for the duke's departure is with no little difficulty finished at the length."[2] Thus hustled out of the country in the dead of winter, he died in Paris before the return of summer. It was said afterwards in Scotland, probably in some compunctious impulse, that he adhered stoutly to the Protestantism which he had adopted in Scotland; that he would not permit the priest to give him the viaticum; and that "neither the King of France, nor yet the nobility there—nay, not his own lady—gave him any respect, in that he had joined himself to the Protestant religion in Scotland, and had communicate with them."[3]

[1] Bowes's Correspondence, 285.
[2] Ibid., 296.
[3] Balfour's Annals, i. 374.

Bowes, according to his own account of his mission, had several long confidential conferences with the king. One would not suppose, in reading his story of these, that he had been transacting the deep State mysteries he tells of with a youth of sixteen, whose capacity for real business, even at the maturest of his years, was not held in much esteem. But there is a general concurrence of testimony as to his precocious wisdom; and it would seem, indeed, that what maturity he was to have, came to him at the age when those destined to great capacities are yet children.

The peculiarities and defects which give so grotesque a tone to the acts and character of King James, appear indeed to have grown with his years, and to have been hidden during his boyhood behind a pedantic demureness. It has been in the experience of most men to witness such a phenomenon. The natural propensities have been subdued by training; but after the escape from drill, they grow by degrees, casting off the artificial restraints, and the man, as he advances in years, seems to lapse into boyhood. One faculty of which he was ever proud he seems to have even then mastered—the capacity for falsehood, which he called "kingcraft." For instance, during the pressure for the departure of the favourite, and after he has expressed his entire devotion to Queen Elizabeth, and his gratitude for the assistance of those sage advisers sent to him by her in his difficulties, there comes what is thus told:—

"The king hath showed such manifest signs, witnessing a great change and alteration in his conceit and favour towards the duke, as the lords are highly comforted therewith; for with unaccustomed oath he hath protested to and assured the noblemen, with his colour

changed, his hands lifted up, that if the duke should disobey this charge, then he shall never from henceforth have to do with the duke, nor show favour to him nor to any of his favourers, but to esteem him and them as his enemies; and that he shall do to the duke the thing he never thought to have done." [1] Surely it is charitable to suppose that the boy told a fib to his formidable courtiers, rather than believe that in heart he could turn thus against the man on whom he had impetuously heaped every available token of attachment. Both Bowes himself and the lords, who were "highly comforted," had afterwards grave doubts about his sincerity in the matter, and found that their own coercive pressure was of more avail than the reaction in his royal bosom.

On another, and a rather important occasion, he showed a capacity at this period for his own kind of kingcraft. La Mothe Fénélon, the ambassador from France to England, came to him. As we have seen, diplomatic relations of Scotland with Paris were suspended, because there James was not acknowledged as king. Fénélon had obtained his mother's permission to address him as king.[2] There was something in this reminding one of the old subtlety about the religion established by law in Scotland, and the evasion of the treaty which acknowledged Elizabeth's right to the English throne. To be entitled to address him as King by special licence for the occasion from his mother, was about as strong a protest of her own title to be still the Queen as the most ingenious diplomacy could have devised.

It is at this point that we come across the most dis-

[1] Bowes's Correspondence, 285, 286. [2] Ibid., 353.

tinct of the generally faint traces about the "Association" or project suggested in France of uniting his mother's name in the government, and making it a joint sovereignty.[1] Whatever might be expected ultimately to come from such a project, one, if not the chief reason given for pressing it at this moment, seems to have been that King James, by nominally acceding to the arrangement, would open the door to diplomatic communication with the Government of France.[2] Bowes had the eminent satisfaction to report that the king was dead against this plan; "that he was for his own part ready to shut his ears against that or any like motion whatsoever which should tend to the impairing of his authority, peril of his estate, and his own dishonour—all which he confessed to be at hazard, if, from a sole king as he had hitherto continued from his cradle, he should now fall to divide and communicate his authority to others." As to Queen Elizabeth, on the other hand, he was deeply grateful for her renewed offers of countenance, "acknowledging her manifold deservings at his hands to be worthy of an extraordinary love and thankfulness towards her above all the princes of the earth, who, he had protested, had even such especial interest in him, as she might no less account and dispose of him than of herself, as his actions and deeds should give good testimony." [3] If, as some have believed, he was then engaged in deep plots for the reinstatement of his mother and the restoration of the French influence over Scotland, he had, indeed, made promising progress in his favourite statecraft. But it will be afterwards seen that it was his

[1] See above, p. 445.

[2] See Queen Mary's letter to Beaton; Labanoff, v. 253.

[3] Bowes's Correspondence, 352.

nature to employ this gift entirely for the promotion of his own particular interests.

Bowes afterwards found reason for being dissatisfied with this assurance, and to be suspicious about the "association." He had got trace of some particulars which the king knew, and he desired to get the whole from him. Documents about the association had passed. In particular, Lennox had the plan in writing, and had handed that writing to the king—where was it? There is a long misty discussion, which only reveals that an experienced and acute man is trying, and trying in vain, to extract plain dealing from a tricky and sometimes sulky youth, who has the privilege when hard pressed of retiring behind the barrier of his rank. He thought the document might be in the hands of his advocate; wherever it might be, he could not, or would not, get it, nor would he explain the specific character of its contents. All that could be extracted from him was, that he did not like the document; but at that time Bowes could get from him no absolute repudiation of the project of association.[1] It was only after much anxious and tiresome dealing that he was able to say: "The plainness and earnest declaration of the king against the association coming to the knowledge of his mother (as I think it shall soon do), shall peradventure readily offend her; yet that matter is so much condemned here by the king and all others, as it could be otherwise qualified nor suppressed."[2]

Connected but not identical with the project of the association, there was much reference to what was termed "the treaty" between the two queens for the liberation of "the mother of the king." This is but

[1] Bowes's Correspondence, 470, 471. [2] Ibid., 492.

casually spoken of, and treated as a profound secret; other than that, the negotiations tell us no more about it, and it is more fleeting and indistinct than the association.

Fénélon was joined in his mission by M. Meynville, a gentleman especially attached to the house of Guise. Poor Bowes had thus much need of the assistance he had obtained. When Davison was sent to him, it was to deal with Fénélon, "because Mr Bowes, her majesty's ambassador here, was not furnished languages to treat with him upon such occasion as might happen during his abode in these parts."[1] Destitute of the aid he so received, Bowes might have attended at sittings where treason was adjusted in his presence, for the king was a good linguist.

Such a powerful apparatus of diplomacy as thus clustered in the remote Court of Holyrood would seldom be witnessed save in some solemn international conference. It was all wasted; for there were no distant forces which the pulling of diplomatic wires could move. Neither France nor England was prepared to enforce a policy by invasion. Scotland had no particular attachment to either, and would accept such a government as the balance of strength in its own domestic parties might bring uppermost. Thus the armed force of the rough barons surrounding the king was for the time stronger than the subtlest diplomatic adroitness.

We must not leave the diplomatists, to turn to the next scene of the shifting drama, without mention of a negotiation pursued by Bowes about a matter so small, that if we read the discussion about it without some foreknowledge, we would wonder how those

[1] Bowes's Correspondence, 320.

commissioned with great political movements could deal with an affair so trifling. It was nothing but the possession of a little ornamented box containing private letters and scraps of poetry—the celebrated "casket" and its contents. Bowes found that the casket "had been delivered to sundry hands, and thereby was presently wanting and unknown where it rested." Now he had traced it, with its contents, into Gowrie's possession. Murray had taken them back from England. On his death they passed into the hands of Lennox, and then passed over to Morton's.[1] How, on his ruin, they had fallen into Gowrie's hands, is not known. Bowes made a demand that they should be given over to Queen Elizabeth, "adding thereto such words and arguments as might first stir up hope of liberality, and also best effect the purpose."[2] The portion of the argument that had no concern with liberality deserves attention. It consisted in "letting him know the purpose of the Scottish queen, both giving out that these letters are counterfeited by her rebels, and also seeking therein to have them delivered to her or defaced; and that the means which she will make in this behalf shall be so great and effectual as these writings cannot be safely kept in that realm without dangerous offence to him that hath the custody thereof; neither shall he that is once known to have them be suffered to hold them in his hands."[3]

Ruthven would not admit that he possessed this perilous treasure; but seeing that Bowes's information was sure, he said he would look for them when he returned to his own house. He was then at Holy-

[1] Goodall, ii. 91, 235. [2] Bowes's Correspondence, 240. [3] Ibid., 254.

rood. He did not, however, promise to deliver them up; and the ambassador wasted much ingenuity and patient labour in vain efforts to extract them. Ruthven gave as a reason for retaining them, that the confederates, who had removed the queen from the throne, required them to be kept "as an evidence to warrant and make good that action." A commentary made by Bowes on this is worthy of note. He said: "Their action in that part touching the assignation of the crown to the king by his mother had received such establishment, confirmation, and strength, by Acts of Parliament and other public authority and instruments, as neither should that case be suffered to come to debate and question, nor such scrolls and papers ought to be showed for the strengthening thereof, so as these might well be left, and be rendered to the hands of her majesty, to whom they were destined before they fell in his keeping; yet he would not be removed or satisfied."

What Elizabeth wanted with them is open to all guesses. But this passage shows, that whatever vague fears there might be of danger from without, aided by secret intrigues from within, the English ambassador could fairly speak of the king's government as deeply rooted in the adherence of the community of Scotland.

The diplomatic air was still thick with rumours from abroad. That there were formidable powers of destruction even then in preparation against Britain was afterwards proved by the Spanish Armada. Had that expedition been successful, the history of Scotland would probably have run in a different course from that we have to follow. But from events as

they really were, nothing touched Scotland, or even distinctly threatened the country. It was said that "the king's mother," as if in the fulness of her old power, had made the Duke of Guise her lieutenant in Scotland; but nothing practical came of that appointment. The English ambassador, that he might anchor his general rumours and alarms on some solid reality, was obliged sometimes to rely on very small morsels possessed of that quality. Thus it is solemnly reported to the English Court how "Meynville hath sent to the king a present of French apples, almond, and other fruit, which were brought to the king yesterday night; and sundry think this is a watch-word or sign that all things are ripe and ready for the plot laid by Meynville at his being here."[1]

Another correspondent announced to Randolph that "the Duke of Guise's master stabler" had brought over "six fair horses" for the king. Two ministers, James Lawson and John Durie, had gone to him to remonstrate against the acceptance of the gift. That the king had a passion for fine horses gave the affair an insidious aspect, and at the same time rendered the duty of rejection all the more difficult. The young king promised obedience, since he was told that his admonishers spoke the will of God. But there was a suspicion that they had no better success than the unfortunate Trojan prophet in the renowned precedent concerning equine gifts. An ominous coincidence was solemnly reported to Randolph. The king had paid a visit to Dalkeith, and the horses were stabled there.[2]

So in Scotland the perplexed ambassador had a sense that something was to happen; but he knew not

[1] Bowes's Correspondence, 522.

[2] Letters of John Colvill, 6.

what it was to be, nor whence it was to come. In fact his conventional diplomatic skill was baffled by the spurious and incidental character of the political movements in Scotland. Nothing is so troublesome occasionally to the skilled detective officer as a great crime committed in an unusual manner by a fresh hand. It is a fact standing alone, without the usual train of cause and effect by which he works. Thus it was with Bowes. So on the 29th of June he found the king in the Castle of St Andrews, the works well manned, and something like an army gathered round him, while "all men stood upon their guard, looking what shall ensue thereon."[1]

There was a general congress of territorial leaders there to hold a council with the king. Huntly and Marischal brought followers from the north, Argyle brought his contribution from the west. They were altogether too strong for the Ruthven party, who, after a supremacy of ten months' duration, were swept away by a counter-revolution. In the words which Bowes applied to the Raid, subjects had a second time "altered the possession of the king."[2] It was a sudden inexplicable reverse, as unexpected by England as the Raid itself had been.

[1] Bowes's Correspondence, 466. [2] Ibid., 178.

CHAPTER LVIII.

James VI. to the League with England.

THE INFLUENCE OF THE CHURCH ON THE POLITICAL SITUATION—RETROSPECT ON THE RISE OF THIS INFLUENCE—THE GREAT REVIVAL—THE CLAIMS OF THE ECCLESIASTICAL ESTATE—THE SECOND BOOK OF DISCIPLINE—THE FIRST COVENANT OR KING'S CONFESSION—GERMS OF PRESBYTERIAN INFLUENCE—THE YOUNG KING AND THE CONTENDING INFLUENCES—THE POLITICAL DOCTRINES OF BUCHANAN—HIS DEATH—DISPOSAL OF THE RUTHVEN PARTY—THE BANISHED LORDS AT NEWCASTLE WITH THE BANISHED CHURCH—HOW THEY ENDURED DISCIPLINE—STRUGGLE BETWEEN ARRAN AND RUTHVEN—RUTHVEN'S FALL AND EXECUTION—THE PERNICIOUS SUPREMACY OF ARRAN—A BORDER SQUABBLE—WORKS TO ARRAN'S RUIN—THE MASTER OF GRAY—THE LEAGUE WITH ENGLAND.

It may now be right to turn to a great religious revival which was connected with these political events, but so slightly and inactively as to have a separate history of its own. These revivals, however dear they may be in the memory of partisans, are generally viewed with coldness, if not aversion, by those who do not belong to the particular religious community which has revived. On the present occasion, speaking of the mere social and moral influences set at work, a stranger might welcome the advent of efforts which, whether spiritually orthodox or not, yet had something in them tending to check or

modify the spirit of ferocity, rapacity, and sensuality that was spreading moral desolation over the land.

We have seen how the ecclesiastical assemblies were advancing in hostile attitude towards the remnant of the Episcopal hierarchy reserved by the Reformation Acts. In July 1580 the Assembly found that "the office of ane bishop, as it is now used and commonly taken within this realm, has no sure warrant, authority, or good ground out of the Scripture of God, but is brought in by folly and corruption, to the great overthrow of the Kirk of God." Therefore the office is abolished; and all professing to hold it are "to demit, quit, and leave the same, as an office whereunto they are not called by God." They are to "desist and cease from all preaching, ministration of the sacraments, or using any way the office of pastors," unless on application they shall again be admitted by the Assembly itself to the ministerial function. Those who disobey this injunction are to be excommunicated.[1]

Having thus cleared the way, the Assembly worked on to the completion of their 'Second Book of Discipline,' which was also to be the completion of the polity of the Church on the Presbyterian system. Morton the regent had, as we have seen, a leaning — whether political or conscientious—towards Calvinism, and he desired that there should be a conference of lay statesmen and clergy for the adjustment of the polity; but the clergy would not endure that the ark should be touched by unsanctified hands. They had no objection to laymen acting a proper subordinate part in their Church courts, but they were to have no separate lay

[1] Book of the Universal Kirk, 194.

interference with the proper prerogatives and duties of these courts. The book, as finally adjusted, was adopted by the Assembly in the spring of 1581.

It is a document thoroughly French in its conception and tenor. The English spirit is to adapt legislation to events and conditions as they arise, not to anticipate and regulate all that is to be. The propensity to indulge in a rigid logic, capable of adjusting itself to all things that may be, has rendered the French prolific in codes and systems which bring all the future under the dominion of the reasoning power of the present. The Second Book is, in fact, a revision of the Huguenot discipline adopted at the first national synod of the Reformed Church of France, held at Paris in 1559. It is much shorter than the French document, yet far more complete; and any one comparing the two will find that they bear to each other the relation of a rough draft, which has been completed and polished by able hands. The First Book of Discipline is full of controversy and denunciation. Knox presided at its construction, and wherever his hand was it would be against some other. The Second Book was the work chiefly of Andrew Melville, a man also of strong will and vehement temper, but endowed with a finer sense of decorum and logical aptness. To those who have a partiality for the triumphs of logical definition and arrangement, the Second Book might be an acceptable study. If we grant that those who prepared it were what they called themselves—the Church of God, presided over by the Lord Jesus Christ as the representative of the Godhead on earth—it would be difficult to refuse assent to what follows. Nothing can be more perfect than the analysis by which the

two ruling powers are separated from each other, and the ecclesiastical set above the secular. It sets forth, that "as the ministers and others of the ecclesiastical Estate are subject to the magistrate civil, so ought the person of the magistrate be subject to the Kirk spiritually and in ecclesiastical government." Further: "The civil power should command the spiritual to exercise and do their office according to the Word of God; the spiritual rulers should require the Christian magistrate to minister justice and punish vice, and to maintain the liberty and quietness of the Kirk within their bounds." Nothing could be on its face a fairer distribution. The civil power was entitled to command the spiritual to do its duty; but then the magistrate was not to have authority to "execute the censures of the Church, nor yet prescribe any rule how it should be done." This is entirely in the hands of the Church; but in enforcing it the State is the Church's servant, for it is the magistrate's duty "to assist and maintain the discipline of the Kirk, and punish them civilly that will not obey the discipline of the same." Thus the State could give no effective orders to the Church, but the Church could order the State to give material effect to its rules and punishments. It was the State's duty, at the same time, to preserve for the Church its whole patrimony; and we have seen that this meant all the vast wealth which had been gathered up by the old Church. Among the prerogatives of the clergy it was further declared, that "they have power also to abrogate and abolish all statutes and ordinances concerning ecclesiastical matters that are found noisome and unprofitable, and agree not with the time, or are abused by the people."

It might be taken for a secularly popular element in this polity, "that no person be intruded to any of the offices of the Kirk contrary to the will of the congregation to whom they are appointed." But it lay with the ecclesiastical authorities to decide who were members of the Church and who not; it was a free election, but the constituency were chosen by the body among whom they must make their selection.

Much to the tribulation and wrath of the authors of this ecclesiastical constitution, the Estates of Parliament declined to adopt and sanction their handiwork. That they should think it necessary to request confirmation by the State, might seem to imply a practical doubt of the full self-capacity for legislation in ecclesiastical matters so loudly proclaimed by them. They would, however, have overcome any such logical difficulty by explaining that what the Church required of the State was not assistance or support, but a declaration of dutiful obedience to that which the Church had within its proper sphere thought fit to dictate. So the General Assembly, after "divers suits made to the magistrate for approbation thereof, whilk albeit as yet has not taken the happy effect whilk good men would crave," resolved to preserve the document on their own records, and to send a copy of it to each of the presbyteries into which they had just divided the Church.[1] Such was the Church which had constructed itself out of its own materials, without receiving the aid or the sanction of the State. We have now reached that stage of development in which it stands forth as the mature ancestor, of which every Presbyterian communion in Scotland professes to be the representative,

[1] Book of the Universal Kirk, 219.

and the only legitimate representative, all others who profess that title being impostors. This is a result connected with strong national peculiarities. In England we hear of persons with tender consciences who are constrained to dissent from the Established Church. In Scotland, "dissent" may be imputed like "heresy" or "schism," but it is never spontaneously adopted as a character. Those who separate from their neighbours, cast them forth as under general excommunication from the body of the visible Church. Hence every separate community, in its phraseology and conduct, has professed itself to be the true Church of God, with Jesus Christ at its head; and has treated its old neighbours, with all the rest of the world, as schismatics and offenders against the discipline of the Kirk.[1] There are at present in Scotland ecclesiastical bodies thoroughly constructed according to the Presbyterian model, who count their adherents by hundreds, who are abiding within the ancient sheepfold, waiting patiently until the millions wandering in the desert shall repent and return to them.

During the course of the rapid revolutions in the civil government, there went on a side war of ecclesiastical protestations and denunciations between the supporters of Episcopacy and the Presbyterian community thus formed. By degrees it became a war in which this body had to fight the Court, as well as its natural

[1] It is curious to find, in a man of so much learning as Dr M'Crie, how this spirit comes up, because he was a leader of one of the four only true Churches into which the Secession had been thrown by a double splitting. When he tells of the quarrel at this period, and how excommunications were hurled by both parties, Montgomery, who in virtue of the statute law was Archbishop of Glasgow, and who sat as a lord in Parliament, when spoken of as under the sentence of the Presbyterian Assembly, is called by M'Crie "the Culprit."—Life of Melville, 83.

ecclesiastical enemy. Mr Walter Balcanquall was accused of an attack on the king's favourite. It was decorated with the peculiar jocularity which the early clergy seem to have inherited from Knox. He said "that within these four years Popery had entered in the country, not only in the Court, but in the king's hall, and was maintained by the tyranny of a great champion which is called Grace; and if his grace would oppose himself to God's Word, he should have little grace."[1] The preacher's defence was ready and complete. If he had broken any law, he was ready to submit to the consequences. But this thing had been "spoken publicly in the pulpit,"[2] where he was supreme; and "although all the kings of the earth would call it erroneous, yet he is ready here by good reason to prove it to be the very truth of God, and if need require, to seal it with his blood."[2]

We have seen how Lennox dropped the cause of contention, by cordially, and without any questioning or demurring, changing Churches. As missionaries among the heathen sometimes find, conversions rapidly and easily accomplished are not always valuable. The ministers had grave doubts touching the sincerity of this instance, and they resolved to exact a broader and stronger pledge of the faithfulness of the Court in general. Accordingly they presented to it for acceptance what is sometimes called the Second Confession of Faith, and otherwise the King's Confession, the Negative Confession, and the First Covenant; for it was in reality a league or covenant, extending the practice of binding men to a common object by bonds or bands so often mentioned. The First Confession was the declaratory

[1] Calderwood, iii. 583. [2] Ibid., 584.

announcement of the belief of its subscribers, and therefore it only dealt with inimical doctrines in a few passing words of censure. On the present occasion it was unnecessary to express the belief that had been expressed before, and the object was to lift up a testimony against the enemy. That this testimony was lifted up with power and terseness, the following passage will perhaps satisfy the reader. Following a brief summary of the essential doctrines of Protestantism comes:—

"And therefore we abhor and detest all contrary religion and doctrine, but chiefly all kinds of Papistry, in general and particular heads, even as they are now damned and confuted by the Word of God and Kirk of Scotland. But in special we detest and refute the usurped authority of that Roman Antichrist, upon the Scriptures of God, upon the Kirk, the civil magistrate, and consciences of men; all his tyrannous laws made upon indifferent things, against our Christian liberty; his erroneous doctrine against the sufficiency of the written Word, the perfection of the law, the offices of Christ and His blessed Evangel; his corrupted doctrine concerning original sin, our natural inability and rebellion to God's law, our justification by faith only, our imperfect sanctification, and obedience to the law; the nature, number, and use of the holy sacraments, his five bastard sacraments, with all his rites, ceremonies, and false doctrine, added to the ministration of the true sacraments without the Word of God; his cruel judgment against infants departing without the sacrament, his absolute necessity of baptism; his blasphemous opinion of transubstantiation, or real presence of Christ's body in the elements,

and receiving the same by the wicked for bodies of men; his dispensations with oaths, perjuries, and degrees of marriage forbidden in the Word; his cruelty against the innocent divorced; his devilish mass, his blasphemous priesthood, his profane sacrifice for the sins of the dead and quick; his canonisation of men, calling upon angels and saints departed, worshipping of imagery, relicts, and crosses; dedicating of kirks, altars, days, vows to creatures; his purgatory, prayers for the dead, praying or speaking in a strange language; his processions and blasphemous litany, and multitude of advocates or mediators; his manifold orders, auricular confession, his desperate and uncertain repentance, his general and doubtsome faith, his satisfactions of men for their sins; his justification by works, *opus operatum*, works of supererogation, merits, pardons, peregrinations, and stations; his holy water, baptising of bells, conjuring of spirits, crossing, signing, anointing, conjuring, hallowing of God's good creatures, with the superstitious opinion joined therewith; his worldly monarchy and wicked hierarchy; his three solemn vows, with all his shavelings of sundry sorts; his erroneous and bloody decrees made at Trent, with all the subscribers and approvers of that cruel and bloody band conjured against the Kirk of God: and, finally, we detest all his vain allegories, rites, signs, and traditions, brought in the Kirk without or against the Word of God and doctrine of this true Reformed Kirk, to the which we join ourselves willingly, in doctrine, faith, religion, discipline, and use of the holy sacraments, as lively members of the same in Christ our Head; promising and swearing by the great name of the Lord our God, that we shall

continue in the obedience of the doctrine and discipline of this Kirk, and shall defend the same, according to our vocation and power, all the days of our lives, under the pains condemned in the law, and danger both of body and soul in the day of God's fearful judgment."

The practical object for which the announcers of these views band themselves together would hardly be anticipated either by the conditions under which it was adopted or this vehement preamble. It was for the defence and support of the king. "We protest and promise with our hearts," they say, "that we shall defend his person and authority with our gear, bodies, and lives, in defence of Christ, His Evangel, liberty of our country, ministration of justice, and punishment of iniquity against all enemies within this realm or without, as we desire our God to be a strong and merciful defender of us in the day of our death."

The king was the first to sign this testimony. All his courtiers followed; and a royal mandate was issued to ministers to demand the signatures of their parishioners, and proceed against recusants "according to our laws and order of the Kirk." No triumph could be more complete than this body had accomplished; but yet there were fears and misgivings among them. Another triumph of a smaller nature awaited them in a blow at the offensive Arran, who "was ordered to make his repentance before he could get his child baptised, born a quarter of a year before he was married, which he did on the morning after that, the 14th of March, in Holyroodhouse, before the king. He confessed his offence, and offered to underly the discipline of the Kirk. The like ordinance was

made for his lady. She was so grieved, that through her grievous words he conceived some displeasure."[1]

This was accompanied by several acts of curious submission by persons in high secular power to the decrees of the ecclesiastical assemblies; and the whole is pervaded with the tone of people dealing with some irrational outbreak, the promoters of which must be humoured to the top of their bent, until things come into order again, and the troublesome people can be kept in their proper place.

The triumphant Church proceeded to "purge" itself of scandalous members. The bishops were *ex officio* a scandal; but a good deal was attributed to their moral conduct, which gave colour and interest to the pursuit. The Church excommunicated Montgomery, the Archbishop of Glasgow, after a squabble with the royal authority; and took steps against Adamson, Archbishop of St Andrews, which after some delay led to the same desirable conclusion. The Raid of Ruthven was a momentary success to the Presbyterian party, but rather the humbling of enemies than the acquisition of friends. Their minister, John Durie, who had preached with conspicuous bitterness against the favourite and the Court, had to obey a charge to remove himself from Edinburgh. His return was a triumph, material as well as moral. As his friend James Melville tells, "John Durie got leave to go home to his own flock of Edinburgh; at whose returning there was a great concourse of the haill toun, wha met him at the Nether Bow, and going up the street with bare heads and loud voices, sang to the praise of God, and testifying of great joy and consolation, the 124th Psalm—'Now Israel may say, and

[1] Calderwood, iii. 596.

that truly,' &c.—till heaven and earth resounded. This noise, when the duke being in the town heard, and lodged in the Highgate, looked out and saw, he rave his beard for anger."[1] It was this scene, according to Melville, that convinced Lennox of the necessity of finding safety in the west. Perhaps this is the earliest instance of a popular demonstration in honour of Presbyterianism in Scotland. It was another and less wholesome testimony of popular feeling, that the Edinburgh mob insulted Meynville and Fénélon, the French ambassadors. At the king's request, the magistrates gave them a civic banquet. The Church courts decreed a solemn fast on the day of the banquet as an atonement for so sinful an act. We are told that three famous ministers preached on the occasion, and that "betwixt the three exhortations there was reading and singing of psalms."[2]

These struggles of the Presbyterian party were up to this point limited to ecclesiastical history, touching the political history of the country only so far as they gave the State some trouble. But Durie's triumph and other incidents showed that the influence of the ministers over the populace was becoming strong enough for political use. Two powers were arising in the State, each claiming absolute rule and contending for supremacy—the Throne and the Church. King James was to reach maturity with the principles and opinions of an absolute monarch. It can scarcely be said that his great instructor, Buchanan, lived to see this utter ruin of the vital part of his teaching. He died, seventy-six years old, on the 28th September 1582, while his pupil was in the wholesome keeping of

[1] Diary, 134. [2] Calderwood, iii. 369.

the Ruthven lords. He had just finished the great work of his old age, for the dedication of his History is dated on the 4th calend, or 2d day of the same month. His book stands among those remarkable instances where the author's estimate of his own works is inverted by public opinion. His psalms, and all the poetry for which his name is illustrious, he spoke of as fugitive trifles when weighed with that effort, which is of little more use and value than as a bulky exercise in the composition of classical Latin.

The History was the greatest piece of typography that in its day had come from the Scottish press; and it may stand comparison with the works of the great Continental printers of the sixteenth century. We have a charming glimpse both of the printer's and the author's workshop, as he was drawing to the end both of his labour and his days, correcting the proofs of Queen Mary's reign. Melville accompanied his uncle Andrew and Buchanan's cousin Thomas into "the printer's warkhouse;" "Whom," as he says, "we find at the end of the seventeenth book of his chronicle, at a place whilk we thought very hard at the time, whilk might be an occasion of staying the haill wark, anent the burial of Davy." This was the statement that Rizzio was buried in the royal vault, followed, as it was, by the inference that the queen had raised him to privileges which degraded herself. It was not easy to alarm Andrew Melville about freedoms with royalty, but he was afraid that this might cause the suppression of the volume. So, "therefore, staying the printer from proceeding, we came to Mr George again, and found him bedfast by [meaning

against] his custom, and asking him how he did, 'Even going the way of welfare,' says he. Mr Thomas his cousin shows him of the hardness of that part of his story, that the king might be offended with it, and it might stay all the wark. 'Tell me, man,' says he, 'if I have told the truth. 'Yes,' says Mr Thomas, 'sir, I think so.' 'I will bide his feud and all his kin's, then,' quoth he. 'Pray, pray to God for me, and let Him direct all.' So, by the printing of his chronicle was ended, that most learned, wise, and godly man ended this mortal life."

The book was dedicated to King James. It is observable that Buchanan, for all his republican temper, indulged in royal dedications. The beautiful epigram to Queen Mary, in which he announces the psalms—the "Nympha Caledoniæ"—has always had a touching interest, from the spirit of hope and benediction breathed in it, holding so sad a contrast with the tragic career to which its heroine, then in her fresh youth and newly received into her kingdom, was doomed. His friends found him at the dedication of the History: "When we came to his chamber, we found him teaching his young man that served him in his chamber to spell *a b, ab; e b, eb,* &c. After salutation, Mr Andrew says, 'I see, sir, ye are nocht idle.' 'Better this,' quoth he, 'nor stealing sheep or sitting idle, which is as ill.' Thereafter he shew us the epistle dedicatory to the king; the whilk, when Mr Andrew had read, he told him that it was obscure in some places, and wanted certain words to perfect the sentence. Says he, 'I may do na mair for thinking on anither matter.' 'What is that?' says Mr Andrew. 'To die!' quoth he; 'but I leave that and many more

things for you to help.'"[1] The dedication was in a great measure an admonition to his emancipated pupil to take a lesson from the fate of good and of bad kings, as shown in the narrative. He hoped that the mothers of Scotland might yet say of him, as they did of the good King David, that they desired their offspring to be like him.

The more fascinating doctrines of passive obedience and divine right instilled by his favourite seem speedily to have obliterated the rigid republican maxims of Buchanan, even if they ever found tolerance with the boy. It is difficult to trace the subtle agents which, influencing opinion, spread till they rouse masses of men to action. But as there is little doubt that Buchanan's writings had great influence on one side of the civil war of the ensuing century, it is not an extravagant proposition, that the whispers of him who was his successor in the formation of the royal mind may have had their influence in the creation of the opinion and conduct which provoked the contest.

We may return to the king at St Andrews, surrounded by a host more to his liking than his recent guardians. There were no hasty measures; and Arran, who was the soul of the new enterprise, did not for some time appear at Court. The English embassy was strengthened by the presence of the great Walsingham himself. There was the old interminable correspondence, in which, however, we find the following tolerably distinct summary of the reasons why the king should surround himself by persons acceptable to Queen Elizabeth: "I laid before him, that being drawn from her majesty, he might peradventure fall

[1] Melville's Diary, 120, 121.

to hostility with her that was of greater puissance than his force could resist without the succour of strangers, who, repairing into the realm, might give just occasion to his people to take arms rather to withstand them that could overthrow the religion, and make thrall their king and themselves, than to enter into wars with her majesty that had delivered them oftentimes from their greatest extremities, and offering now all friendship without any wrong or violence, but ready to maintain the religion, king, and nation in safety." [1]

The ambassadors were empowered to offer the young king a pension of ten thousand crowns; but it was rejected as too paltry for the acceptance of a king.[2]

The ambassadors seem to have had some influence in favour of moderate measures. In a declaration touching the Raid of Ruthven, read to the Estates, the king said he had made to these ambassadors and to others promises of clemency to those who had mishandled him, to be kept if they would "acknowledge

[1] Correspondence, 511, 512.

[2] "He did declare to me, that albeit his Council, deliberating upon the only point of the quality of this pension, did think the portion to be esteemed so small as it might not with honour be publicly received by him with the advices and consents of them our councillors, who in open council and actions ought to have chief regard to the conditions of honour, leaving thereby the matter to his own choice and private dealing with her majesty. Yet he found her majesty's kind offer to be accompanied with such signs of her loving affection towards him, . . . as therefore he resolved to receive this or any less sum in as good part as if it had been a matter of most high value."—Bowes's Correspondence, 484. "In my late conference with Colonel Stewart in the fields, he showed me plainly that the lords and Council, with the king, did esteem the portion granted by her majesty to the king to be so small as they thought he might not with honour receive it, offering that rather than he should take such a trifle, they would at their own charges provide double as much for him."—Ibid., 494.

their offences and return to their due obedience;" for he desired to act "rather as a father seeking to recover his children, than a sovereign prince in a commonwealth respecting his estate and surety."[1] The children, however, would be at mischief again. There was much restlessness among them, and several alarms. At last a sufficient force was collected by the Ruthven lords to seize Stirling Castle. The king was not there but in Edinburgh. Arran, a man of resources, managed to gather twelve thousand men—a large army to be, in that time of broken and confused parties, brought under the royal banner. When they marched towards Stirling, the new occupants of the castle found it hopeless to contend with so large a force, and moving southwards took refuge across the Border.

They were joined by others, who had fears in consequence of their share in recent events. "The banished lords," as they were called, were for a short time an isolated community, with a curious interest attaching itself to their position and conduct. A method of dealing with public men whose conduct was counted suspicious or offensive rather than criminal prevailed at that time in Scotland, having, no doubt, been copied from the French Relegation. In distinction from deportation, which, like our transportation, meant compulsory removal to a foreign soil, relegation meant an injunction to abide in one's own country, within or beyond certain limits, as policy might dictate in each particular case. In France it was usual to relegate a great man to his estates; but that was the very last place that would be assigned as the residence of

[1] Act. Parl., iii. 330.

such a person in Scotland. Several of the refugees to England had evaded such orders of removal. The Earl of Angus, for instance, had been ordered to live beyond the Spey. His personal comfort seems to have been considered. Within a week he was to be beyond the Forth; but a full month was allowed for his settlement in the far north. The reason assigned by the king for this was, "for removing of bruits and occasion of casting and alteration of the Court, whereof we can nowise like."[1] We have seen, on the other hand, that Durie the minister was permitted to go where he pleased, provided he remained beyond the bounds of Edinburgh, where his power of giving trouble lay. There was another method of dealing with the political transgressor, more stringent, but still falling short of seizure and imprisonment. He was ordered to "ward" himself in one of the royal castles, where, of course, he would find himself under restraint.

The new Government determined to do battle with the privilege of perfect freedom of speech claimed by the clergy, and to bring the question up in the person of their leader, Andrew Melville. He was cited to appear before the king and Council. His nephew thus sketches the scene: "He declined the judicature of the king and Council, being accused upon no civil crime or transgression, but upon his doctrine uttered from pulpit. The whilk, when the king and Captain James—then made Great Chancellor—with roarings of lions and messages of death, had taken so hot that all the Council and courts of the palace were filled with fear, noise, and bruits, Mr Andrew, never jarging [flinching] nor dashed a whit, with magnanimous

[1] Calderwood, iii. 749.

courage, mighty force of spirit, and fouthe of evidence of reason and language, plainly told the king and Council that they presumed over-boldly in a constitute estate of a Christian Kirk, the kingdom of Jesus Christ—passing by and disdaining the prophets, pastors, and doctors of the Kirk—to take upon them to judge the doctrine and control the ambassadors and messengers of a king and council greater than they and far above them." The students of the history of the Reformation abroad will notice in this almost a translation of the language held by Calvin and Farel to the authorities at Geneva.

Melville's next point must have somewhat puzzled and embarrassed the new chancellor and the other courtiers. He laid down a Hebrew Bible, and determined to try conclusions on that and that only. Perhaps there was a touch of irony in the act; but his brethren would have pronounced it to be in strict literal conformity with the standards of their Church, which admit of no translation of the Bible as an authorised translation, and refer all questions to the original text. Melville was ordered to ward himself in the Castle of Blackness. He preferred, however, to trust his safety to the other side of the Border, and accomplished this object in a manner creditable to his worldly sagacity and ingenuity.[1]

It was a short time after this event that Angus, Mar, the Master of Glammis, and the other "banished lords" who had fled from Stirling, reached England. The whole group, with the two Melvilles, took up their abode at Newcastle. They made altogether a compact little congregation, affording an opportunity for

[1] Melville's Diary, 142 *et seq.*

experimenting on the organisation of a new Church. It was the story of Calvin and Geneva repeated in miniature. It was resolved to seize the opportunity for establishing in a perfect working shape that "discipline" which was appealed to with characteristic frequency in the ministerial communings of the day. A staff of elders and deacons was organised. The function of the elders was "censuring and overseeing of manners, and rebuking in private all such as behaves themselves, in speaking, doing, gesture, or otherwise than it becomes holy and faithful Christians. And in case of no amendment, after two or three admonitions, or public offence and slander ensuing, to delate them to the Assembly or session, whereby they may be brought to repentance, and make public satisfaction." The kind of acts to be specially looked after were "where a gentleman shall name the devil, banning, pronounce an oath, filthy talk, or any ill-favoured speech." Perhaps not the least oppressive of all the rules was, that every one, great and humble, "shall be present at all the exercises of the Word and prayer." There were "special inspectors and noters of the absents;" but there was a possible exemption from this rule: "If one hath a necessary errand to do, whereby it behoveth him to be absent, let him advertise ane of the ministers or elders, and he shall be excused."[1]

This rigid programme reminds one of the instructive fact, that in some Churches, and especially those of the Huguenots, the time of suffering and danger is ever that of sternest internal despotism. The fiercer the fire of persecution through which it passed, the

[1] Melville's Diary, 183, 184.

sterner became the iron discipline. Such a Church was like an army in time of war, and an army in danger and difficulty. Hence opposition to the will of the rulers was mutiny and desertion; and the culprit would incur all the danger and social degradation of being cast forth from the compact little body within which were his best chances of safety. Of the bulk of the class to which these rigid rules were applied, it may be said that it would be difficult to find in the Christian world men with less religion or more ruffianism. Yet Melville, when he served these regulations on them, says, "They accepted very well thereof, and gave me great thanks; and causing it to be notified to all their company, they submitted themselves heartily to the order, humbly embracing the admonitions and directions."

To show to what point of perfection the rough material which the clergy had to deal with could be brought, we are furnished with a model instance in the Earl of Angus, a young man about twenty-two years old: "This nobleman was felon well-minded—godly, devout, wise, and grave; and by and besides the common exercises, was given to reading and private prayers and meditation; and ordinarily after dinner and supper had an hour's and sometimes more nor two hours' conference with me about all matters—namely, concerning our Kirk and common well—what were the abuses thereof, and how they might be amended. Whereof he was so careful that he caused me set them down in write and present them to him."[1]

That there was some reality in this is shown after-

[1] Melville's Diary, 185.

wards in Melville making an exception of Angus when he mourns the backsliding of the others. The effect of all their discipline and devotion was, that when they were restored to favour, the king remained as hostile as ever to the true Church, "partly because he perceived that the noblemen were not very earnest in the matter, getting their own turns done, as indeed —except the good Earl of Angus, to whose heart it was a continual grief that he could not get concurrence—there was little or small care among them thereof, for all the vows and fair promises made to God and His servants, the whilk the Lord in mercy make them to take till heart in time, and repent before the last come, whilk cannot, in His just judgment, be more fearful than the first."[1]

Though Angus and the other banished lords had thus escaped to a place of safety, the real head of their party, Ruthven, was left in extreme peril. Arran and he were now standing face to face in deadly struggle. The life and fortune of the one was to be in the ruin and death of the other. The king made a State visit to Ruthven Castle, "to let the country see that he was entirely reconciled to the Earl of Gowrie."[2] Arran was at that time still in custody or restraint. In the struggle Gowrie had thus, to appearance, the firmer hold; but the king's hand was at work relaxing it. Sir James Melville tells how, "so soon as the Earl of Arran got presence of his majesty, he not only stayed at Court against promise," but also put an end to certain private consultations between Melville and his master "to do all his alain, albeit at his first entry he used himself humbly." He speedily made himself master

[1] Melville's Diary, 225, 226. [2] Sir J. Melville's Memoirs, 29.

at the council-board. He did the young king's business there for him, having "put in his majesty's head that he would find it a fashious business to be encumbered with many contrary opinions; but willed him to take his pastime at hunting, and he should tarry in and hear us, and report again at his majesty's returning all our opinions and conclusions. This he observed two or three times, and in short space changed that order, and took no man's advice but his own."[1] To the Council he spoke as representing the king, and as the bearer of his commands; to the king he professed to carry the desires of the Council. In this way he worked both powers against his enemy. The king was roused to excessive wrath against those who had roughly handled his anointed person; and it is of importance for the understanding of subsequent events that he spoke of Gowrie with vindictive hatred rather as a personal enemy than an offender against the Government.

Gowrie thought it might be a wise step to leave Scotland. It might be wise for his personal safety, but not for that of his estates. Thus he was infirm of purpose, and loitered at Dundee, where he was to take ship, occasionally visiting his noble domains on the borders of the Highlands. We first make acquaintance with Ruthven giving filial aid to his father in the disposal of "Signior Davie." We now find him wandering over the borders of the Tay, the patrimony of his house, pensive in the prospect of bidding farewell to them, and his gallery "but newly built and decorated with pictures"—a rare possession for a Scots

[1] Memoirs, 294. "Fashious," troublesome—one of the few common Scots words taken from the French, and still in use.

baron of that period. He was classical in his tastes; and in his communings with a friend who joined him in his solitude he moralised, in the words of Mantuan Melibæus, on who may be the rude stranger who is to possess the fields beloved in vain.[1]

While he remained north of the Tay it was not easy to lay hands on him. The upper part of the country was all his own; in the lowlands round Dundee his colleague Mar reigned. The plan adopted for his seizure was to send Colonel Stewart to Dundee by ship with a hundred men. Ruthven fortified himself in his house with a few retainers, and held out for some hours. This alone, if he had done nothing else, was in the eye of the law treason. From this point we have notes by some bystander, who saw much of what he describes, and sent his account as information to England. There was a determination to put Gowrie to death as speedily as this could be accomplished by form of law. Abundant evidence could be had of acts involving treason. But it appears to have been the conclusion of Arran and his followers, that it would be impolitic to lead evidence, whether from the necessary delay in bringing up witnesses, or because too much might be revealed in their testimony. Accordingly Arran renewed old friendship with his enemy, and spoke of a desire to repay old services. The king, he said, wanted Gowrie's life, but it was his own wish and that of the others to save it. That, however, could only be accomplished if he made submission and confession. In the words of the narrator:—

[1] "Impius hæc tam culta novalia miles habebit?
Barbarus has segetes."
—See Godscroft's House of Douglas, ii. 318.

"'We would gladly,' said they, 'do anything for you we could; but to deal directly in that cause, it should procure unto ourselves the king's displeasure.'

"Quoth Gowrie, 'If ye will not do for me, let me have your good counsel whom other ye think meetest that I should have recourse to.'

"'Certainly,' said they. 'The only mean that we think is left to your lordship whereby you may have respect to the preservation of your life, and insinuate yourself in his majesty's good grace, is this, to write a general letter unto his highness, showing that you have been of the privy council of some conspiracies intended against his majesty's own person, and if it might please his majesty to suffer you to have access to speak with his highness, you would open up the specialties of the matter unto him.'

"'Nay,' said Gowrie, 'that shall I never do; for so I should promise the thing which I could not discharge myself of. I should confess an untruth, and put myself in a far worse case than I am in. I will rather trust in the simplicity of mine honest cause and upright meaning, and take my hazard as it shall please God to dispone upon me.'"[1]

These words show that the man of blood and violence had at his service, when needed, certain dignified sentiments, with the faculty of expressing them in fitting terms. This tone he kept to the last. He knew that his doom was settled, and that angry struggling would be of no material use. He continued to argue about the danger of an avowal; but he got the conclusive answer, "Whether such things be or no, ye must confess the foreknowledge of them, or

[1] Archæologia, xxxiii. 161.

else it is concluded you shall die." Then we are told: "'Goes it so hard with me?' says Gowrie; 'if there be no remedy, in case I had an assured promise of my life, I would not stick to prove the device of the letter.' 'I will then,' sayeth Arran, 'upon mine honour, faithfully promise you that your life shall be in no danger if ye so do.'"[1]

He gave the letter, and it was produced against him at his trial. When he pleaded the promise of life, there was a scene thus described: "The advocate said it was not in the noblemen's power to promise life. 'Yea,' said he, 'the king promised unto them, which they avowed unto me by their oath.' 'Ask them,' says the advocate. He inquired of them; they denied that such promise was made by the king to them, or by them to his lordship. 'What, my lords! ye will not say so! ye made faith to me by your honour otherways. I refer it to your oath and conscience. I am assured ye will not deny it.' They swore it was not so. 'This is a strange matter,' says my lord, 'that neither promise nor law avail; yet, my lords, I direct my speech unto you all. I pray you, go to the king to know his mind towards me,' which they refused. After consultation then, he pressed every one severally, and the Earl of Arran himself—he could not prevail."[2]

The proceeding showed how easily in Scotland at that time the established precautions for the protection of the innocent by means of deliberation and formality could be broken through by the strong hand. He pleaded that by law a certain period runs between the serving of the indictment and the trial. In ordi-

[1] Archæologia, xxxiii. 162. [2] Ibid., 168, 169.

nary crimes the period was fifteen days, but in treason it was forty days; yet he was brought instantly to trial. There was an old law or usage, that the murderer caught in the act—"red hand," as it was called—could be tried instantly and hanged. The rule, keeping its significant name, extended to other crimes than murder. When, therefore, he pleaded the illegality of the summary trial, "the advocate replied that the answer was not relevant; for a thief stealing red hand, and, *actu ipso*, may be taken without summonds—meikle mair he in treason when he is with red hand of the crime."[1] Farther, the "bulwark of liberty," the trial by an impartial jury, was made a trial by enemies. Arran himself sat on that jury or "assize," along with Argyle, Crawford, Montrose, and others, his supporters.[2] More, perhaps, to shame his enemy than for any chance it afforded, the victim demanded that this enemy should take the special oath of impartiality, and Arran took the oath in a full and explicit manner. The narrator goes on: "The other smiled, and called for a drink at the assize's departure, where I heard him, being behind him, request a gentleman cause his friends conceal his death from his wife till she were of more strength." She had just borne to him a son, into whose heart the tradition of the words that are to follow took deep root. Keeping up the deportment of easy good-humour, he said: "My lords, I am willing to lose my life to bring the king contentment, as I often before did hazard it to do him service. But the noblemen who were upon my assize, in condemning me, hazard their own souls; and see that my blood be not upon the king's head. The longer that I lived

[1] Archæologia, xxxiii. 168. [2] Pitcairn, i. 116.

I should been involved in the greater care, and wrapped in the more miseries; and now [I am] freed from the fiery affairs of the Court, whereof I would have committed myself long since if I could. I remit my adversaries, and commit my revenge to God. My lord judge, the points whereof I am condemned are small oversights, and so it will be known afterwards. I pray you to make not the matter so heinous as to punish it with the penalty of forfeiture. My sons are in my lands—the second is confirmed in all his rights by the king's majesty." He was told that a conviction of treason must be followed by the usual doom of forfeiture. He was just allowed time to take spiritual consolation from his minister, and to pray privately. After the usual courtesies to the "hangman," he "smilingly put his head under the axe; and his body and blood, kept in the scarlet, was put in the chest and conveyed to his lodging." In these words we see that he was beheaded by "the Maiden" or guillotine.[1]

Distant and safe as the banished lords appeared, the

[1] Archæologia, xxxiii. 170. The documents here cited are to be found in "Observations on the Trial and Death of William, Earl of Gowrie," by John Bruce, printed in the 33d volume of the Archæologia. One of the MSS. cited by Bruce is also in Bannatyne Miscellany, i. 91.

There was one item in the indictment having scarcely any historical bearing, yet curious as an indication of that suspicion ever hovering about the house of Gowrie, of dealings with the Satanic community. This point was witchcraft, or, as it is termed, "coffering with sorcerers." He explained that one of his retainers from Dunkeld had brought him a warning from some weird woman there, who asked him how it fared with Ruthven; and he saying "well," she rejoined, "No; there is some ill fallen to him that he knows not. The king's favour is withdrawn from him, and by the lady of Arran, and yet there may be remeid for it if my lord list." He refused, he said, to profit by the warning, saying: "If the woman were here, I were content she were brent, and would be the first would confess to it. If there be any witchcraft used, I think it be more near the Court."—Archæologia, xxxiii. 169.

law had ministers that could reach them and inflict serious injury. With the usual elaboration of process, these banished lords and their principal followers were charged to appear, "put to the horn," and outlawed.[1] Estates covering a large portion of the kingdom were thus placed at the disposal of the Crown. Internal revolutions, however, followed each other so rapidly, that the party in power were not allowed time enough to complete the formal procedure for the distribution of the spoil.

These events were of course matter of extreme displeasure to Queen Elizabeth and her Government. There was therefore a renewal of the old tedious diplomacy. It was thought necessary again to send to Scotland so important a person as Secretary Davison. A solemn conference was held between Arran and Lord Hunsdon, Queen Elizabeth's cousin, within the parish church of Foulden. It became memorable by the pomp in which the new favourite appeared, and by the length of his train of followers, numbered at five hundred men. The most conspicuous practical point in the discussions between the two Governments was, a demand on the part of Scotland that the banished lords might be delivered up to the king's Government. We must suppose this to have been a bravado, to show England that dictation was preposterous. It is difficult to suppose that such a demand could be seriously made, when it is remembered that the Government of Scotland ever repelled all demands for the extradition

[1] See the process at length in Pitcairn, i. 119. A pretty long list of names, beginning with Mar and Angus, will afford to such as are anxious in the matter those secondary leaders in the projects of the party who found flight desirable. The name of Douglas predominates among them.

of English political refugees; and the correspondence about the embassy of Bowes is expanded by his vain attempts to get possession of an Englishman named Holt, charged with accession to Romish conspiracy in England. It is true that the Earl of Northumberland was sent to England to his fate. The Government might have interfered for his protection, and became unpopular for not so doing; but he was in reality the property of a private captor, who ostensibly acted for himself.

It is unnecessary to follow the diplomatic correspondence through its intricacies, since it was destitute of either of the two conditions that confer interest on such negotiations—that they lead to some great result, or that they deal with elements so perilously convulsive that any slight touch of skill or any casual mistake might produce portentous results. Scotland still remained as the country had become at the taking of the Castle of Edinburgh—safe from danger from without, and untrammelled by any critical foreign policy. Perhaps, had there been more to fear from without, the kingdom would not have been shaken by internal revolutions so rapid and capricious. At this time, too, in the diplomacy between England and Scotland, one begins to trace a new and soothing influence likely to modify extreme conclusions—it is shown in hints about English courtiers inclining to propitiate the rising sun.

As the diplomacy wears through the year 1585, it begins to have more colour and interest. A new favourite had appeared on the horizon. Esmé Stewart d'Aubigné, the son of the old favourite, had just come from France to visit or abide at the Court of Scotland,

as events should run. It was not he, however, who became the hero of the present occasion. He had brought with him a young man who had for some time been his companion, and who had thus gained an opportunity, by which he was able to profit, of acquiring the polish and accomplishments, with some of the other qualities, of a Parisian courtier. This was Patrick Gray, who, as the son of the baron of that name, took, by the national custom of Scotland, the title of Master of Gray. He was, if we may believe contemporary accounts, a model of manly beauty. The king, just growing into manhood, was acquiring that offensive ugliness which even the Court painters could not help revealing if they produced what could be recognised as a portrait. The ugliness was offensive, because it had none of those qualities which give an interest, and sometimes even a dignity, to ugly faces—as intellect, firmness, or even sternness. But he delighted in having handsome men about him, and good looks were a sure passport to his favour. This weakness seems to have come of the same peculiarity of nature, unaccountable on any reasoning from cause and effect, which makes unseemly people take delight in the fine clothing and brilliant jewellery which only draw attention to their defects. Gray attended Arran at the meeting with Lord Hunsdon at Foulden church, and there he seems to have told the English lord, that if he were sent ambassador to England, as he expected to be, he could do Queen Elizabeth some special services not connected with his ostensible embassy.

He had an accommodating conscience, which fitted him for any treachery or mischief that could be made worth his while. Hunsdon, writing to Cecil, said of

him: "That man, for being grete with the Scotch queen, and for being a Papist, I know he can say much about the Scottish queen—few men more: but for his Papistry, I wish all ours were such; for yesterday, being Sunday, he came to church with me, having a service-book of mine, sitting with me in my pew, he read all the service, and both before the sermon and after he sang the psalms with me as well as I could do; whereby, it seems, he has been used to them, or else he could not a-done it so well and so readily now, let his religion be what it will."[1]

Soon afterwards he was sent on the expected mission to the Court of England, where he had confidential meetings with the queen and her advisers. He was in possession of many of poor Queen Mary's dangerous secrets. He knew much as a person in the confidence of the Guises, but he obtained still more as her accredited agent; and it is said that she trusted to some propitious result to her own cause from the favour shown to him by her son. It stands as a charge against the young diplomatist, from which he was never able to clear himself, that he revealed all this knowledge to the English Court, and helped materially in furthering the coming tragedy. Meanwhile we shall presently meet him again on Scottish ground.

If Scotland might at that juncture be counted free of immediate danger from without, it was not so with England. It was there that the new power which had risen against Catholic Europe could be struck on the head; and there the danger of the first, and, as it might be, the last, blow was most keenly felt. Philip

[1] Papers regarding Master of Gray, 12.

of Spain was slowly making his preparations, and Elizabeth had given him provocation and justification for whatever he might do by active intervention in the Netherlands war of independence. The Protestants in their covenants and bands had set the example of a new political power. It was not the old-fashioned alliance of monarchs, but a combination which swept into one group the local aristocracy, the clergy, and the people. The example was followed on a grand scale in the terrible Catholic league, of which the Pope was the spiritual head and the Duke of Guise the military leader. Under its pressure all concessions granted to the Huguenots were withdrawn by the revocation of the edict of pacification. The league was waxing towards that power which was to shake the throne of France, and in the end bring retribution on itself; but meanwhile it was subduing and persecuting the Huguenots, and threatening the cause of Protestantism, and especially England, the refuge and defence of free thought.

It was felt necessary to cultivate the friendship of the Court of Scotland without too nice an estimate of its merits. That Arran was supreme, and his opponents banished, was a condition to be regretted; but in the pressing danger such little differences must not stand in the way of co-operation. In the middle of April the sagacious statesman Edward (afterwards Lord) Wotton was sent to Scotland. He was a man of genial hearty nature, but withal a courtier. He loved the chase, and knowing that King James and he would have here at least a common feeling, he brought with him an acceptable gift of choice horses and dogs. But he had more serious business in hand. He was to press

on the notice of the Court the determination of the Papal powers to ruin the Protestant Church, and to point to a necessity for Protestant princes uniting in a league for their common defence. The king was to be told that a strict league between Scotland and England for the maintenance of the Gospel would be very acceptable to the queen. He was, to a certain but apparently rather limited extent, authorised to offer a subsidy.[1] There was some discussion at the time about the king receiving an English peerage with its domains.

Up to this point Arran's power had been ever growing, and he was beginning to flaunt before the older nobility with a vain insolence which hinted that his elevation had brought giddiness on his once cool and sagacious head.

He was Lord High Chancellor; the occasional office of Lieutenant-general of the kingdom was made for his use, and he was governor of the two chief fortresses — Edinburgh and Stirling. It was noticed that he professed to belong to the blood-royal, the Stewarts of Ochiltree being descended from Murdoch Duke of Albany. The descent was tainted by the bar sinister; yet, according to a document preserved by a genealogical antiquary, he maintained the descent to be legitimate, and claimed as his birthright precedence over all the other nobility.[2] According to Secretary Davison, his infamous wife was prowling

[1] Calendar of State Papers (Scotland), i. 494.

[2] Crawfurd's Officers of State, 448. "It is well known to sundry here present, who are ready to attest the same, that the Lord Ochiltree, the said earl's father, is lawfully come of the royal blood, as lineally descended from father to son of the house of Evandale, whose first progenitor not long synsyne was son to Duke Murdoch, begotten in lawful bed."

about the Crown jewels, and trying which of Queen Mary's robes best became her.[1] It was reported that the two, in a partnership of rapacity, kept a steady eye on all possible forfeitures and other means of enlarging their power and wealth.

We find Davison writing about Arran, on the 30th of September, in these expressive terms: "It is incredible how universally the man is hated by all men of all degrees, and what a jealousy is sunken into the heads of some of the wisest here of his ambitious and immoderate thoughts, which they suspect to reach beyond the king's life in a degree the world doth not yet dream of, as your honour shall hear more hereafter, wherein, besides divers speeches falling out of his own mouth—some to myself, some to others—of his lineal and lawful descent to the earldom of Arran, and consequently to whatever right that house can claim, 'as he understand it,' in this crown, and of the entailing of the crown by Parliament—wherein if the young duke be admitted a first place, he claimeth a second; his actions, as in recovering into his hand the principal strengths of the country, with the whole munition, ordnance, jewels, and wealth of this crown. His usurped power and disposition of all things, both in Court, Parliament, and sessions, at the appetite of himself and his good lady, with many other things to bewray matter enough to suspect the fruits of ambition and inordinate thirst of rule."

The "good lady" is called "a woman generally accused of sorcery, and laden with the infamy of other vices."[2]

[1] Papers regarding Master of Gray, 3.

[2] Archæologia, xxxiv. 211. This evil character of Arran, in the

In the same paper he speaks thus of the young king's position and prospects: "I find infinite appearances that this young king's course, directed partly by the assured compass of his mother's counsel, and partly by the immoderate affections of some here at home, doth carry him headlong to his own danger and hazard of his estate. He hath, since the change at St Andrews, continually followed forth implacable hatred and pursuit against all such as in defence of his life and crown have hazarded their own lives, living, fortunes, and all that they have, and now thrown himself into the arms of those that have heretofore preferred his mother's satisfaction to his own surety, and do yet aim at that mark, with the apparent danger of religion, which hath already received a greater wound by the late confusions and alterations than can be easily repaired." [1]

To the English Court it was desirable to be rid of Arran, if this could be without a quarrel with Scotland. Gray returned, and was in close counsel with Wotton on this head. It would appear that Gray contemplated the simple plan of murder. The English ambassador felt his position unpleasant when he heard such things mooted, and if there was to be mischief of that kind, had rather it had been finished before he came.

But the project of the league, with its transactions

estimation of English observers, had lasted for a full year. In certain characters of leading men in Scotland, prepared it would seem by one of the English emissaries, in the year 1583, Arran is thus told off: "A man of more wit than courage, but of no faith, conscience, or honesty; insolent where he prevaileth, and of a restless and troublesome spirit; suspected of all men, and never favoured or trusted by any but his like; of no power, friends, or wealth but that he hath by his usurped earldom of Arran."—Bannatyne Miscellany, i. 61.

[1] Archæologia, xxxiv. 210.

fair and foul, was interrupted by that ever-fruitful source of trouble, a Border outbreak.

Sir John Forster, warden of the middle marches of England, had a meeting of the usual kind, to settle disputes and difficulties with Kerr of Ferniehurst, who held the same office on the Scots side. One of the hangers-on of the English side was caught pilfering, and a disturbance began, which rose to a quarrel. The English were driven off, and Lord Russell, who was among them, was slain. According to the report of this affair believed in England, there were but three hundred present on the English side, while the Scots were three thousand, all fully armed. It was construed from this, that there was a plot to invade England, or do some other specific injury; and in feeling for the planners of that plot, the English statesmen thought fit to bring it home to Arran, as well as to Ferniehurst.

Even in those days of rough diplomacy, when the supreme government of a country brought an accusation to the effect that one of its subjects had been murdered by the subject of another country, no rank or favour could stop the necessary process for trying the question. Thus a point was gained. Arran, as a man under a charge of heavy crime, could not ostensibly remain at Court. He was conveyed to the Castle of St Andrews; but afterwards he was ordered or permitted to relegate himself in his own mansion of Kinniel, about twelve miles from Edinburgh. This was an arrangement at variance, as we have seen, with the policy towards the political enemies of the Crown. The way in which Ferniehurst met the charge is a curious example of a difficulty in Border disputes:

"He avoided it by a flat denial, because the other could produce no Scottishman for a witness. For in these trials on the Borders, according to a certain privilege and custom agreed upon amongst the Borderers, none but a Scot is to be admitted for a witness against a Scot, and none but an Englishman against an Englishman; insomuch that if all the Englishmen who were upon the place had seen the murder committed before their eyes, yet their testimony had been of no value unless some Scottishman also did witness the same."[1]

This man, Kerr of Ferniehurst, has often crossed our narrative as an active partisan occasionally set to dark and desperate work. He was a refugee in England during the regency of Morton, who wrought hard to lay hands on him. In the letter in which Queen Elizabeth allowed the Scots law to have its course against Grange after the capture of Edinburgh Castle, she refused to hand him over to Morton. Now, on the other hand, Wotton loudly demanded that he should be given over to Queen Elizabeth. It was believed that the real object of this demand was to fix a quarrel on Scotland, in order that it might break forth by the removal of the ambassador at the critical moment of the return of the banished lords. The destiny of events was, however, to take another shape. Ferniehurst died before there was any opportunity of deciding on the charge against him, and the great Camden has left this short but expressive testimonial to his qualities: "A stout and able warrior, ready for any great attempts and undertakings; and of an immovable fidelity to the Queen of Scots and the king

[1] Camden in Kennet, ii. 504, 505.

her son; having been once or twice turned out of all his lands and fortunes, and banished the sight of his country and children, which yet he endured patiently, and after so many crosses falling upon him together, persisted unshaken and always like himself."[1]

It came now under deliberation among Queen Elizabeth's advisers whether they should make this affair a ground of quarrel with Arran, and, without falling into a war with Scotland, assail him, by letting loose on him the banished lords, and in any other available shape. Before seeing these deliberations to a conclusion, however, it may be well to bring up to the present point certain ecclesiastical matters which were intimately connected with what followed.

Among many other Acts passed by the Parliament of 1584, were some for laying a restraint on the perfect independence, accompanied by a certain amount of absolute rule, claimed by some of the Presbyterian clergy. To make a propitious commencement, the first of these was an Act to confirm "the liberty of the preaching of the true Word of God and administration of the sacraments." The next referred to "seditious and contumelious speeches" uttered in the pulpit; and enacted that his majesty's authority, enforced through the established judicatories, shall have authority over "all persons his majesty's subjects, of whatsoever estate, degree, function, or condition whatever they be of, spiritual or temporal, in all matters wherein they or any of them shall be apprehended, summoned, or charged to answer in such things as shall be inquired of them."[2]

The Estates seemed to have thought it imprudent

[1] Camden in Kennet, ii. 505.

[2] Act. Parl., iii. 293.

to pass such an Act without a special reservation of their own old constitutional powers. It was put in the royal name like the other: "The king's majesty, considering the honour and the authority of his Supreme Court of Parliament, continued past all memory of men unto these days, as constitute upon the free votes of the three Estates of this ancient kingdom;" it is therefore provided "that the honour, authority, and dignity of the said three Estates shall stand and continue in their own integrity, according to the ancient and lovable custom observed in time bygone, without any alteration or diminution."

Another Act was levelled against the legislative and judicial power assumed by the clergy when they met in Assemblies. It was declared that these were unauthorised innovations on the old constitution of the country, in which the Estates of Parliament were the supreme power. It was provided, that excepting the established judicatories, no one without royal licence, "nane of his highness' subjects, of whatsoever quality, state, or function they be of, spiritual or temporal, presume to take upon hand to convocate, convene, or assemble themselves together for holding of councils, conventions, and assemblies."[1]

These Acts, like many others of the Scots Estates, might have gone for little more than empty declamation; but it was resolved to lay a practical trap of a kind not easily evaded, and very powerful for all defaulters. A declaration to obey these laws, and remain in due obedience to their Bishops, was appointed to be signed by all beneficed clergymen; and whoever refused to sign it forfeited his position and benefice.[2]

[1] Act. Parl., iii. 293. [2] Ibid., 347.

This test seems to have been rigorously put. The backsliders who accepted it were so numerous, and found in quarters so unexpected, as to distress and incense the more zealous brethren. Some of the more subtle casuists among them added the words "according to the Word of God" before subscribing, on which there is this note by one of the sterner kind: "Some were deluded by simplicity, not taking up the sophistry of the clause which was added; others were content of any colour to blind the eyes of the people. The clause added to sophisticate the band was repugnant to the matter and argument of it. It was all one as if they would have said they will obey the Pope and his prelates according to God's Word."[1] The test seemed to be accepted on the one hand with the same facile conformity which carried the subscription to the Covenant through the lords of Lennox's and Arran's party. It is less hard, however, to understand such a phenomenon among easy-conscienced courtiers than among stern divines. Erskine of Dun, and Craig, the venerable and zealous coadjutor of Knox, joined in the defection, and seem to have promoted it: "Subscription going on apace—the examples of Mr Craig and John Brand have done much ill. The Laird of Dun was a pest then to the ministers in the north." This is followed by an anecdote which the historian of this backsliding seems to consider appropriate to his subject: "About the same time, the king coming from hunting, drank to all his dogs, and among the rest to one of his dogs called Tell True, saying, 'Tell True, I drink to thee above all the rest of my hounds; for I will give thee more credence nor either the bishop or Craig.' This

[1] Calderwood, iv. 247.

was the great account he made either of the bishop or the subscribers."[1] But there was a day of triumph at hand for the steadfast and suffering remnant.

The Master of Gray, whose destiny it was to be the inspiring demon of the coming explosion, returned from his purposeless embassy to the place where he could really be of use. The sage counsellors of Queen Elizabeth were suggesting plans for diminishing Arran's influence with the young king; but the Master, who knew better how State changes were effected in Scotland, threw back their lazy plans with sharp impatience, and told them to let loose the banished lords. Wotton, the English ambassador, liked not so sharp a crisis as this forebode. He was to be an addition to the list of English ambassadors who found Scotland too hot a place for them. Telling Walsingham that he was in great danger, he continued: "Your honour knoweth what a barbarous nation this is, and how little they can skill of points of honour. Where every man carrieth a pistol at his girdle as here they do, it is an easy matter to kill one out of a window or door, and no man able to discover who did it. Neither doth it go for payment with those men to say I am an ambassador, and therefore privileged; for even their regents and kings have been subject to their violence."[2] But when an ambassador was deeply engaged in plotting the destruction of the head of the government to which he was accredited—not perhaps a good head, but still the prime minister of the kingdom—it might be questioned whether he was making his payment in genuine coin. It was a question with him whether he should declare a quarrel on the refusal to deliver Ferniehurst,

[1] Calderwood, iv. 351.

[2] Cited, P. F. Tytler.

or any other decent pretext, when the question was solved by a fortuitous conjunction of events; and as these boded violence he took to flight. The conjuncture was as follows: The exiled Hamiltons thought the crisis a favourable one for attempting to regain their estates. The favourite Arran was their natural enemy, as the possessor of their domains, and an upstart, who strutted before the world with the title of their ancient house. The two brothers hung about for some time on the English side of the Border, trying, as it would seem, how many of those who had been retainers of the house of Hamilton were likely to follow the banner of its representatives. A great feudal power had rapidly arisen on the western Border under the rule of the Lord Maxwell. That was now no longer his title—he was for a short time Earl of Morton, as invested with the honours and some of the domains of the great Regent. His clan had been long at feud with "the gentle Johnstons," as his neighbours were in courtesy called. At that period it was usual for the predominant family in any district to have, besides their isolated fortress, a house or hotel, as the French called it, in the chief town of the district. It was a provincial palace frequented by a provincial court. The Maxwells had for many generations held this kind of supremacy in Dumfries. For some object he had in view, Arran had got the king to recommend to the burgh of Dumfries to choose as their chief magistrate the head of the house of Johnston. "This purpose," says a chronicler of the day, "seemed to Lord John to be done for his ignominy and contempt; and therefore, by advice of his brother, Robert Maxwell, Captain of Castlemilk, he caused get sure

intelligence of the prefixed day that they were to elect him upon,—for against that day Maxwell had written to all his well-wishers and friends to meet him privily in Dumfries very timeous in the morning, whilk they did; and it was commanded them to attend upon Johnston's entry in the tolbooth, that how soon he had received his office, sworn, and been admitted, that at his forthcoming they should kill him."[1] Johnston got timely warning, and evaded the ceremony. He went to Court, and devised with Arran how to crush one who had now become their common enemy. He had the assistance of a hundred horsemen sent in the king's name to co-operate with his feudal force; but the power of Maxwell had not been rightly estimated —he scattered his enemies with some slaughter, and took prisoner the head of the house of Johnston.[2] He was now a rebel in arms, marked out for vengeance by Arran, and thus well qualified to be the coadjutor of the Hamiltons and the banished lords. He brought to their aid a thousand men.

In deference to the representations of the Government of Scotland, the banished lords had been removed from the Border, and were residing in Westminster. They were not yet in a position to drop their clerical partisans; and so when the time had come for moving southwards and joining Maxwell and the Hamiltons, we are told how "they keeped a very earnest exercise of humiliation at Westminster, where many tears were poured out before the Lord."[3] The allies met at Selkirk, and with their adherents marched onwards to Stirling, eight thousand strong.

[1] Historie of King James the Sext, 209.
[2] Ibid., 211.
[3] Calderwood, iii. 381.

The Master of Gray, by his own account, was busy levying an army in the service of the king, the manner in which the service was to be effected being a junction with the force advancing to Stirling. He was called to Court while thus employed. He feared to go, but absence would have been suspicious. Arran, hearing alarming rumours, broke his ban at Kinniel and hurried to Court; so there the two who, externally colleagues, were in heart and action mortal enemies, met. Gray believed that Arran would slay him wherever he could, were it in the king's presence. But there came relief in the alarm that the invading army had reached St Ninians, not two miles distant.[1] There was nothing for Arran but flight. He crossed Stirling bridge towards the Highlands with a follower or two, taking, as it was said, with him the key of the bridge-gate.[2] The king, with the courtiers and attendants who thought it safe to remain with him, were huddled together in the castle, surrounded by an army which it was useless to resist. In answer to inquiries, the banished lords said they had come to offer their homage and humble duty to their sovereign. They were told that they might be received individually; but this did not satisfy their loyal enthusiasm, which would not abide so protracted a process — they must prostrate themselves before him in a body. There was a great audience, some attendants surrounding the king, and the banished lords kneeling before him with a profusion of humility and duty, since they had now the privilege of approaching to render that loyal homage from which

[1] "Relation by the Master of Gray concerning the surprise of the king at Stirling;" Bannatyne Miscellany, i. 119.

[2] Calderwood, iv. 391.

their enemies had heretofore cruelly debarred them. "The king," we are told, "acknowledged there was no need of words—weapons had spoken loud enough, and gotten them audience to clear their own cause, from whilk they were debarred before. He confessed he had been long abused; that it was the mighty hand of God that had brought them in with so small bloodshed; and welcometh them with cheerfulness as it seemed." [1]

The revolution was thus completed on the 4th of November 1585. On the 1st of December the Estates of Parliament assembled in Linlithgow. Their chief work was in checking the steps towards the completion of recent forfeitures, and cancelling such details of business towards that end as had been completed. Thus, like satellites, a group of restitutions in which families and estates were concerned clustered round the revolution in the central government. Conspicuous among these was the restoration of the Ruthven or Gowrie family to their vast estates. This was connected with an event which occurred a few years afterwards —an event rendering both the forfeiture and the restoration a matter of much pondering. Queen Elizabeth had specially interceded with King James for the widow and children. After noting the services done to himself and the Crown, she says: "We are the rather of pity and conscience moved to interpose our credit, earnestly to solicit that your ire incensed against his poor wife and thirteen fatherless children may be assuaged with his own execution; and to extend your royal clemency and compassion towards them, whose offence, as it could not merit, so could not their inno-

[1] Calderwood, iv. 392.

cency bear, your indignation, nor their youth be thought worthy your wrath; that they being restored to enjoy their father's lands, rents, and possessions, under your obedience and protection, some monument of that ancient house may abide with the posterity, and that name be not rooted out from the face of the earth, through the private craft and malice of their private adversaries." [1]

Through the powers of forfeiture attached to the conviction of the earl on a charge of treason, his wife and children had been cast upon the world like insolvent peasants ejected from their holdings. The miseries and contumelies thrown on them excited scandal and sympathy in Scotland. Secretary Davison, when acting as ambassador from England, beheld a scene in the streets of Edinburgh which picturesquely illustrated the futility of his great queen's intercession, and he told it thus to Walsingham :—

"The poor Countess of Gowry, who since her husband's death is wasted with grief and affliction, met the king in liter beyond the water in his coming hitherward, and falling down before him to move his pity and compassion towards herself and her poor innocent children, hardly obtained the hearing of the king, who departed and gave her no answer; and with what inhumanity she hath been used since her coming to this town, by such as have been instruments of all her woe and calamity, I take shame to write. The same day she first compeared, she moved the most part of her judges to tears; but finding no grace, the next day, being the last of the Parliament, she returned to the

[1] Overtures from Queen Elizabeth—her request to the king for the house of Gowrie; Bannatyne Miscellany, i. 106.

place, purposing to tarry his majesty's coming; but commandment being sent to the constable in his highness's name for her removing out of the house, the poor lady, seeing no other remedy, was compelled to obey it, and being led forth into the open street, stayed there, his highness passing by, which was on foot, in respect of the nearness of his lodging, where, falling on her knees, and beseeching his majesty's compassion, Arran going betwixt her and the king, led him hastily by her, and she reaching at his cloak to stay his majesty, Arran putting her from him, did not only overthrow her, which was easy to do in respect of the poor lady's weakness, but marched over her, who, partly with extreme grief and partly with weakness, swooned presently in the open street, and was fain to be conveyed into one of the next houses, where with much ado they recovered life of her."[1]

By a political revolution in which they could have had no part, the woman and her young children were endowed with wealth and territories that might befit a German sovereignty. The restoration was, according to legal style, in the king's name; but James was some years afterwards sharply reminded that the house of Gowrie owed him no gratitude.[2]

It fell to this Parliament to transact a weighty piece of national business — the conclusion of the league with England, interrupted by the disturbances on the Border. This was accomplished by a Parliamentary ratification, interesting and remarkable as a constitutional document both in its form and its substance.

[1] Papers relating to Patrick, Master of Gray, 2.

[2] Act in favour of the posterity of William, Earl of Gowrie; Act. Parl., iii. 399.

In England the right to represent the nation in questions of peace and war—in all transactions, indeed, of an international kind—had been assumed by or yielded to the Crown. The authority of Parliament only acted indirectly by attacking or defending the statesmen responsible for the national diplomacy; and when the constitution was perfected, all documents relating to the national diplomacy were claimed by Parliament, and laid before the Houses for discussion without delay.

In Scotland, on the other hand, the Estates tenaciously adhered to the privilege of originating and completing all affairs of peace and war. In this instance, in summer, when the English Government brought up the question of the league, there was no regular sitting of the Estates. A body, however, consisting of members of the Estates, formed themselves into a committee, and adjusted an arrangement to be laid before a full Parliament for ratification. This committee, in a written document subscribed by each of its members, authorised the king and his Council to represent the Estates of Scotland in concluding the league; and vindicated this exceptional process in the preamble, narrating the urgent danger of the Protestant cause from the combined action of the Popish powers, and "considering the great and urgent necessity of the said league, and how the same may be na langer protracted nor without peril deferred to a more solemn convention of the hail Estates in Parliament." The league, when completed, contained a remarkable reservation, which kept alive the ancient alliance with France, in these terms: "Providing always the said league be without infringing or prejudice in any sort

to any former league or alliance betwixt this realm and any other auld friends and confederates thereof, except only in matters of religion, whereanent we do fully consent the league be defensive and offensive."[1]

[1] "Ratification of the assent of the Estates for treating and concluding of a league with the Queen of England;" Act. Parl., iii. 381.

END OF THE FIFTH VOLUME.

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